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THE
PARLIAMENTARY
OR
CONSTITUTIONAL
History of England;
BEING A
FAITHFUL ACCOUNT

Of all the
Most remarkable TRANSACTIONS
In PARLIAMENT,
From the earliest TIMES,
TO THE
Restoration of King CHARLES II.

C O L L E C T E D

From the RECORDS, the JOURNALS of both HOUSES, original MANUSCRIPTS, scarce SPEECHES, and TRACTS; all compared with the several Cotemporary Writers, and connected, throughout, with the History of the Times.

By SEVERAL HANDS.

—*Juvat integros accedere Fontes.*

VOL. XI.

From May 20, 1642, to the Battle of *Edgehill* in *October* following,

L O N D O N,

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T H E

Parliamentary History

O F

ENGLAND.



IN the 20th of *May*, the House of An. 13. Car. I.
Lords took into Consideration the
present Dangers and Distractions of
the Kingdom; and appointed a
Committee of eight Peers to peruse
all the *Messages* and *Declarations*

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which had come from the King, to collect together
all the material Expressions therein that concern'd the
Parliament, and to report them to the House.

This Committee, immediately, withdrew; and,
very soon after, the Lord *Kymbolton* brought in
the following *Resolutions*, which were afterwards
agreed to by both Houses; and, with a *Petition* to
the King annexed, were *ordered* to be printed and
published.

Resolved, upon the Question, ' That it appears The Parliament
that the King, seduced by wicked Counsel, intends resolves, That
to make War against the Parliament; who, in all the King intends
their Consultations and Actions, have proposed no to make War a-
gainst them, &c.

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other End unto themselves, but the Care of his Kingdoms, and the Performance of all Duty and Loyalty to his Person.' (a)

Resolved, &c. 'That whensoever the King maketh War upon the Parliament, it is a Breach of the Trust reposed in him by his People, contrary to his Oath, and tending to the Dissolution of this Government.'

Resolved, &c. 'That whosoever shall serve or assist him in such Wars, are Traitors by the Fundamental Laws of this Kingdom; and have been so adjudged by two Acts of Parliament (b); and ought to suffer as Traitors.'

The *Petition* sent to the King, with the above *Resolutions*, was as follows:

To the KING's Most Excellent Majesty,

The HUMBLE PETITION of the LORDS and COMMONS assembled in Parliament.

Their Petition
sent to his Ma-
jesty with those
Resolutions.

YOUR Majesty's loyal Subjects, the Lords and Commons in this Parliament, do humbly represent unto your Majesty, That notwithstanding your frequent Professions to your Parliament and the Kingdom, and the late Expression in your *Answer* of the 13th of *May*, to the *Petition* of the County of *York*, That your *Desire and Intention is only the Preserving of the true Protestant Profession, the Laws of the Land, the Liberty of your People, and the Peace of the Kingdom*; nevertheless, with great Grief, we perceive, by your *Speech* of the 12th of *May*, and the Paper printed in your Majesty's Name, in the Form of a *Proclamation*, bearing Date the 14th of *May*, and other Evidences, that, under Colour of raising a Guard to secure your Person, (of which Guard, considering the Fidelity and Care of your Parliament, there can be no Use) your Majesty doth command Troops, both of Horse and Foot, to as-

(a) The Words, *seduced by wicked Counsel*, were added by the Commons, upon Mr. Pymme's Report of the Conference held with the Lords. *Commons Journals.*

(b) 11. *Richard II.* and 1. *Henry IV.*

‘ assemble at *York*; the very Beginnings whereof
 ‘ were apprehended by the Inhabitants of that Coun-
 ‘ ty to be an Affrightment and Disturbance of your
 ‘ Majesty’s liege People, as appears by their *Petition*
 ‘ presented, to your Majesty; the Continuing and
 ‘ Increase of which Forces is, and must needs be,
 ‘ a just Cause of great Jealousy and Danger to your
 ‘ Parliament, and to your whole Kingdom.

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‘ Therefore we do humbly beseech your Majesty
 ‘ to disband all such Forces, as, by your Command,
 ‘ are assembled; and relying for your Security, as
 ‘ your Predecessors have done, upon the Law, and
 ‘ the Affections of your People, you will be pleased
 ‘ to desist from any further Designs of this Nature,
 ‘ contenting yourself with your usual and ordinary
 ‘ Guards; otherwise we shall hold ourselves bound
 ‘ in Duty towards God, the Trust reposed in us
 ‘ by the People, and the Fundamental Laws and
 ‘ Constitutions of this Kingdom, to employ our
 ‘ Care and utmost Power to secure the Parliament,
 ‘ and to preserve the Peace and Quiet of the King-
 ‘ dom.’

In the Debate on the second of the above
Votes, the Lord *Herbert of Cherbury*, speaking these
 Words, *I should agree to it, if I could be satisfied*
that the King would make War upon the Parliament
without Cause, he was commanded to withdraw;
 but, because it was then late, his Lordship was
 committed to the Gentleman-Usher, for the pre-
 sent, untill the House took this Business into fur-
 ther Consideration.

The Lord *Her-
 bert* censured for
 objecting against
 them.

The next Day the Lord *Herbert* presented a Pe-
 tition to the Lords, declaring his Sorrow for let-
 ting fall certain Words in the midst of a Period,
 which had given Offence; and therefore desired their
 Lordships benign Interpretation of them. This
 Petition satisfied the House, and he was released
 upon it.

His Lordship then moved the House, That he
 might have Leave to go into the Country for his
 Health; and, if he could not find it there, to go be-

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where; which was granted; but he went directly
to the King at *York*, as will appear in the Sequel.

The Lords being informed, That a Book, intitled,
*An Answer, by way of Declaration, to a Printed
Paper, intitled, a Declaration of both Houses of Par-
liament, in Answer to his Majesty's last Message con-
cerning the Militia*, was put out in the King's Name,
which the House conceived to have many Expres-
sions in it, laying Imputations on the Parliament:
It was ordered, That the Printer (c) should be sent
for, and to bring his Warrant or Authority with
him for printing that Book. The said *Answer* was
as follows: (d)

The King's An-
swer to the Par-
liament's last
Declaration rela-
ting to the Mili-
tia.

WE very well understand how much it is
below the High and Royal Dignity
wherein God hath placed us, to take Notice of,
much more to trouble ourself with answering,
those many scandalous and seditious Pamphlets and
printed Papers, which are scattered with such
great Licence throughout the Kingdom, not-
withstanding our earnest Desire, so often in vain
pressed for a Reformation; though we find it evi-
dent, That the Minds of many of our weak Sub-
jects, have been, and still are, poisoned by those
Means; and that so general a Terror hath pos-
sessed the Minds and Hearts of all Men, that
while the Presses swarm, and every Day pro-
duceth new Tracts against the established Govern-
ment of the Church and State, most Men want
the Courage or Conscience to write, or the Op-
portunity and Encouragement to publish, such
com-

(c) Robert Barker, the King's Printer, who attended accordingly,
and produced the Secretary of State's Warrant as his Voucher, which
we suppose gave sufficient Satisfaction to the Lords; for we find no
more of this Matter.

(d) The Reason of the King's calling this *An Answer, by way
of Declaration, to a Printed Paper, intitled a Declaration*, and not
An Answer to the Parliament's Declaration, was, because it was
printed by Order of both Houses, without any previous Present-
ment or Communication thereof to his Majesty, as before observed
in our Tenth Volume, p. 491.

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‘ composed sober Animadversions, as might either
‘ preserve the Minds of our good Subjects from such
‘ Infection, or restore and recover them when they
‘ are so infected: But we are contented to let ourself
‘ fall to any Office that may undeceive our People,
‘ and to take more Pains this Way by our own Pen,
‘ then ever King hath done, when we find any
‘ Thing that seems to carry the Reputation and
‘ Authority of either, or both Houses of Parlia-
‘ ment; and will not have the same refuted or dis-
‘ puted by common and vulgar Pens, till we are
‘ thoroughly informed whether those Acts have, in
‘ Truth, that Countenance and Warrant they pre-
‘ tend. Which Regard of ours we doubt not but,
‘ in Time, will recover that due Reverence (the
‘ Absence whereof we have too much Reason to
‘ complain of) to our Person and our *Messages*, which
‘ in all Ages hath been paid (and no doubt is due)
‘ to the Crown of *England*.

‘ We have therefore taken Notice of a printed
‘ Paper, intituled, *A Declaration of both Houses of*
‘ *Parliament, in Answer to our last Message con-*
‘ *cerning the Militia, published by Command:* The
‘ which we are unwilling to believe (both for the
‘ Matter of it, the Expressions in it, and the Man-
‘ ner of publishing it) can result from the Consent
‘ of both Houses: Neither do we know by what
‘ lawful Command such uncomely and irreverent
‘ Mention of us can be published to the World.
‘ And though *Declarations* of this Kind have of late,
‘ with too much Boldness, broken in upon us and
‘ the whole Kingdom, when one, or both Houses
‘ have thought fit to communicate their Counsels
‘ and Resolutions to the People; yet we are unwil-
‘ ling to believe, that such a *Declaration* as this
‘ should be published in *Answer* to our *Message*,
‘ without vouchsafing at least to send it to us as their
‘ *Answer*: Their Business, for which they are met
‘ by our Writ and Authority, being to counsel us
‘ for the Good of our People, not to write against
‘ us to our People; no Consent of ours, for their
‘ long

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long continuing together, enabling them to do any Thing, but what they were first summoned by our Writ to do. At least we will believe, though Misunderstanding and Jealousy (the Justice of God will overtake the Fomenters of that Jealousy, and the Promoters and Contrivers of that Misunderstanding) might produce (to say no worse) those very untoward Expressions; yet if those Houses had contrived that *Declaration* as an *Answer* to our *Message*, they would have vouchsafed some *Answer* to the *Question* proposed in ours, which we professed did and must evidently prevail over our Understanding; and, in their Wisdom and Gravity, they would have been sure to have stated the Matters of Fact, as (at least to ordinary Understandings) might be unquestionable: Neither of which is done by that *Declaration*.

We desired to know why we were, by that Act, absolutely excluded from any Power or Authority in the Execution of the *Militia*; and we must appeal to all the World, Whether such an Attempt be not a greater and juster Ground for Fear and Jealousy in us, than any one that is avowed for those destructive Fears and Jealousies, which are so publicly owned, almost to the Ruin of the Kingdom. But we have been told, *That we must not be jealous of our Great Council of both Houses of Parliament*. We are not, no more than they are of us their King; and hitherto they have not avowed any Jealousy of, or Disaffection to, our Person; but imputed all to our evil Counsellors, to a malignant Party that are not of their Minds: So we do (and we do it from our Soul) profess no Jealousy of our Parliament; but of some turbulent, seditious, and ambitious Natures; which, being not so clearly discerned, may have an Influence even upon the Actions of both Houses: And if this *Declaration* hath passed by such Consent, (which we are not willing to believe) it is not impossible but that the Apprehension

‘ fion of fuch Tumults, which have driven us
 ‘ from our City of *London*, for the Safety of our
 ‘ Perfon, may make fuch an Impreffion in other
 ‘ Men, not able to remove from the Danger, to
 ‘ make them confent, or not to own a Diflent, in
 ‘ Matters not agreeable to their Confcience or Un-
 ‘ derftanding.

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‘ We mentioned, in that our *Answer*, our Dif-
 ‘ like of the putting of their Names out of the Bill
 ‘ whom before they recommended to us in their
 ‘ pretended *Ordinance*, and the leaving out, by fpe-
 ‘ cial Provision, the prefent Lord Mayor of *Lon-*
 ‘ *don*, to all which the *Declaration* affords no *An-*
 ‘ *swer*; and therefore we cannot fuppose it was
 ‘ intended for an *Answer* to that our *Message*, which
 ‘ whofoever looks upon, will find to be in no De-
 ‘ gree answered by that *Declaration*.

‘ But it informs all our Subjects, after the Men-
 ‘ tion with what Humility the *Ordinance* was pre-
 ‘ pared and prefented to us, (a Matter very evident
 ‘ in the *Petitions* and *Messages* concerning it) and
 ‘ our Refufal to give our Confent, notwithstanding
 ‘ the feveral Reafons offered of the Neceffity there-
 ‘ of, for the Securing of our Perfon, and the Peace
 ‘ and Safety of our People, (whether any fuch Rea-
 ‘ fons were given, the Weight of them, and whe-
 ‘ ther they were not clearly and candidly answered
 ‘ by us, the World will eafily judge) *That they were*
 ‘ *at laft neceffitated to make an Ordinance by Authority*
 ‘ *of both Houfes, to settle the Militia, warranted there-*
 ‘ *unto by the Fundamental Laws of the Land*: But if
 ‘ that *Declaration* had indeed intended to have an-
 ‘ fwered us, it would have told our good Subjects
 ‘ what thofe Fundamental Laws of the Land are,
 ‘ and where to be found; and would at leaft have
 ‘ mentioned one *Ordinance*, from the firft Begin-
 ‘ ing of Parliaments to this prefent Parliament,
 ‘ which endeavoured to impofe any Thing upon the
 ‘ Subject without the King’s Confent; for of fuch
 ‘ all the Inquiry we can make, could never produce
 ‘ us one Instance. And if there be fuch a Secret of
 ‘ the

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the Law, which hath lain hid from the Beginning of the World to this Time, and now is discovered to take away the just legal Power of the King, we wish there be not some other Secret (to be discovered when they please) for the Ruin and Destruction of the Liberty of the Subject; for, no doubt, if the *Votes* of both Houses have any such Authority to make a new Law, it hath the same Authority to repeal the old; and then what will become of the long established Rights and Liberties of the King and Subject, and particularly of *Magna Charta*, will be easily discerned by the most ordinary Understandings.

It is true we did (out of our Tenderness to the Constitution of the Kingdom, and Care of the Law, which we are bound to defend, and being most assured of the Unjustifiableness of the pretended *Ordinance*) invite and desire both our Houses of Parliament to settle whatsoever should be fit of that Nature, by *Act of Parliament*; but were we therefore obliged to pass whatsoever should be brought to us of that Kind? We did say in our *Answer* to the *Petition* of both Houses, presented to us at York the 26th of *March* last, (and we have said the same in other *Messages* before) *That we always thought it necessary the Business of the Militia should be settled, and that we never denied the Thing, only denied the Way*; and we say the same still, since the many Disputes and Votes upon Lords Lieutenants, and their Commissions (which were begun by us, or our Father) had so discountenanced that Authority, which for many Years together was happily looked upon with Reverence and Obedience by the People; we did, and do, think it very necessary that some wholesome Law be provided for that Business; but we declared, in our *Answer* to the pretended *Ordinance*, *We expected that that necessary Power should be first invested in us, before we consented to transfer it to other Men*; Neither could it ever be imagined, that we would

! con-

‘ consent that a greater Power should be in the Hands of a Subject, than we were thought worthy to be trusted with ourself; and if it shall not be thought fit to make a new *Act*, or *Declaration*, in this Point, we doubt not but we shall be able to grant such Commissions, which shall, very legally, enable those we trust, to do all Offices for the Peace and Quiet of the Kingdom, if any Disturbance shall happen.

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‘ But that *Declaration* saith, *We were pleased to offer them a Bill ready drawn, and that they (to express their earnest Zeal to correspond with our Desire) did pass that Bill; yet all that Expression of Affection and Loyalty, all that earnest Desire of theirs to comply with us, produced no better Effect than an absolute Denial even of what, by our former Messages, (as that Declaration conceives) we had promised; and so proceeds (under the Pretence of mentioning evil and wicked Counsels) to censure and reproach us in a Dialect, that we are confident our good Subjects will read with much Indignation on our Behalf. But sure, if that Declaration had passed the Examination of both Houses of Parliament, they would never have affirmed, That the Bill we refused to pass was the same we sent to them; or have thought that our Message, wherein the Difference and Contrariety between the two Bills is so particularly set down, would be answered with the bare Averring them to be one and the same Bill: No more would they have declared (when our Exceptions to the Ordinance and the Bill are so notoriously known to all our People) That, Care being taken to give Satisfaction in all the Particulars we had excepted against in the Ordinance, we had found new Exceptions to the Bill; and yet this very Declaration confesseth, that our Exception to the Ordinance was, That in the Disposing and Execution thereof we were excluded. And was not this an express Reason, in our Answer, for our Refusal of the Bill, which this Declaration will needs confute? But*
the

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the Power was no other than to suppress Rebellion, Insurrection, and foreign Invasion; and the Persons trusted no other than such as were nominated by the Great Council of the Kingdom, and assented to by us: And that Declaration asks, If that be too great a Power to trust these Persons with? Indeed whilst so great Liberty is used in Voting and Declaring Men to be Enemies to the Common-Wealth, (an English Phrase we scarcely understand) and in Censuring Men for their Service and Attendance upon our Person, and in our lawful Commands, great Heed must be taken into what Hands we commit such a Power to suppress Insurrection and Rebellion. And if Insurrection and Rebellion have found other Definitions than what the Law hath given them, we must be sure that no lawful Power shall justify those Definitions: And if there be Learning found out to make Sir John Hotbam's taking Arms against us, and keeping our Town and Fort from us, no Treason or Rebellion, we know not whether a new Discovery may not find it Rebellion in us to defend ourself from such Arms, and to endeavour to recover what is so taken from us: And therefore it concerns us (till the known Law of the Land be allowed to be Judge between us) to take Heed into what Hands we commit such Power. Besides, can it be thought that, because we are willing to trust certain Persons, we are obliged to trust them in whatsoever they are willing to be trusted? We say, no Private Hands are fit for such a Trust, neither have we departed from any Thing, in the least Degree, we offered or promised before; tho' we might, with as much Reason, have withdrawn our Trust from some Persons we before had accepted, as they did from others whom they recommended.

For the Power which we are charged to have committed to particular Persons, for the Space of fifteen Years, by our Commissions of Lieutenancy; it is notoriously known, that it was not a Power created

‘ created by us, but continued very many Years, An. 18. Car. I.
 ‘ and in the most happy Times this Kingdom hath
 ‘ enjoyed, even those of our renowned Predecessors
 ‘ Queen *Elizabeth*, and our Father of happy Memo-
 ‘ ry: And whatever Authority was granted by those
 ‘ Commissions, which were kept in the old Forms,
 ‘ the same was determinable at our Pleasure; and
 ‘ we know not that they produced any of those
 ‘ Calamities, which might give our good Subjects
 ‘ Cause to be so weary of them as to run the Ha-
 ‘ zard of so much Mischief as that *Bill*, which we
 ‘ refused, might possibly have produced.

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‘ For the Precedents of former Ages in the Com-
 ‘ missions of *Array*; we doubt not but that when
 ‘ any such have issued out, the King’s Consent was
 ‘ always obtained, and the Commissions determi-
 ‘ nable at his Pleasure; and then what the Extent
 ‘ of Power was, will be nothing applicable to this
 ‘ Case of the *Ordinance*.

‘ But whether that *Declaration* hath refuted our
 ‘ Reasons for our Refusal to pass the *Bill* or no, it
 ‘ hath resolved and required all Persons in Authority
 ‘ thereby to put the *Ordinance* in present Execution;
 ‘ and all others to obey it, according to the Funda-
 ‘ mental Laws of the Land: But we, whom God
 ‘ hath trusted to maintain and defend those Funda-
 ‘ mental Laws (which we hope he will bless to se-
 ‘ cure us) do declare, That there is no Legal Power
 ‘ in either or both Houses, upon any Pretence
 ‘ whatsoever, without our Consent, to command
 ‘ any Part of the *Militia* of this Kingdom; nor
 ‘ hath the like ever been commanded by either or
 ‘ both Houses since the first Foundation of the Laws
 ‘ of this Land; and that the Execution of, or the
 ‘ Obedience to, that pretended *Ordinance*, is against
 ‘ the Fundamental Laws of the Land, against the
 ‘ Liberty of the Subject, the Right of Parliaments,
 ‘ and a high Crime in any that shall henceforth exe-
 ‘ cute the same.

‘ We do therefore charge and command all our
 ‘ loving Subjects, of what Degree or Quality soever,
 ‘ upon their Allegiance, and as they tender the Peace
 ‘ of

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of this Kingdom, from henceforth, not to muster, levy or array, summon or warn, any of our Trained-Bands, to rise, muster, or march by Virtue or under Colour of that *pretended Ordinance*: And to this *Declaration* and Command of ours we expect and require a full Submission and Obedience from all our loving Subjects upon their Allegiance; as they will answer the Contrary at their Perils, and as they tender the Upholding of the true *Protestant* Profession, the Safety of our Person and our Royal Posterity, and the Peace and Being of this Kingdom.'

May 21. The following *Message of Thanks*, from both Houses, was ordered to be sent to the Privy Council in *Scotland*, for their advising the King to return to his Parliament, &c. Mr. *Whitlocke* tells us, (f) 'That the King had wrote to the Scots Privy Council, to acquaint them with the State of his Affairs in *England*; and that to this he received a dutiful and affectionate Answer, with a Petition from divers of the Nobility and People there, full of Zeal and Loyalty to his Service; but that the Parliament hearing of this, took Course to turn the Ballance within eight Days after.'—The Truth of our *Memorialist's* Assertion is fully confirmed by the *Opinion* of the Scots Privy Council, addressed to the Parliament as before mentioned, (g) and by the following Instrument from both the Houses.

A Message of Thanks from the Parliament to the Scots Privy Council.

THE *Declaration* of the Lords of the Privy Council of the Kingdom of *Scotland*, made the twenty-second of *April*, 1642, having been perused and seriously considered by the Lords and Commons of the Parliament in *England*, they have, by the Consent of both Houses, ordered, That, in their Name, the Commissioners for the Kingdom of *Scotland* be intreated to return Thanks to that Honourable Table of the Privy Council of *Scotland*, for their great Affection expressed to his Majesty and this Kingdom; and for their wise and found

(f) *Memorials*, p. 56.

(g) In our Tenth Volume, p. 504.

‘ sound Counsel given to the King to return to his An. 18. Car. I.
 ‘ Parliament, being his best and most impartial 1642.
 ‘ Council, and to lay aside his Purpose of going in-
 ‘ to *Ireland*; in both which they have fully concurred
 ‘ with the humble Petitions and Desires presented
 ‘ to his Majesty from both Houses.

‘ And as they have never given his Majesty any
 ‘ just Cause of Jealousy or Fears; but, in all their
 ‘ Proceedings, have aimed at his Honour, Happiness,
 ‘ and Safety, without any other Design, but only
 ‘ to preserve and secure the true *Protestant* Religion,
 ‘ and the antient Liberties of this Kingdom; so
 ‘ will they carefully endeavour, by all fit Means,
 ‘ to work in his Majesty a right Understanding of
 ‘ their loyal Intentions and most affectionate Desires
 ‘ for the common Good of his Majesty and his
 ‘ Kingdoms; which can have no lasting nor sure
 ‘ Foundations but in the mutual Confidence betwixt
 ‘ him and his Parliament: For the better obtaining
 ‘ whereof they intreat them to continue and renew
 ‘ such their good Advice to his Majesty, and to suppress
 ‘ the Attempts of those who, upon causeless
 ‘ Pretences and Suggestions, shall persuade them
 ‘ to interpose in those unhappy Differences, in such
 ‘ a Manner as may weaken the Confidence, or endanger
 ‘ the Peace of the two Kingdoms: And that
 ‘ their Lordships will please to remember with what
 ‘ Caution and Tenderneſs, the State of *Scotland* have
 ‘ heretofore endeavoured that that Kingdom might
 ‘ receive no Prejudice by any Proceedings of his
 ‘ Majesty’s Privy Council of *England*; the Example
 ‘ of whose Wisdom herein this Parliament is
 ‘ willing to follow, and will always be very careful
 ‘ of the Preservation of the mutual Affection betwixt
 ‘ the two Kingdoms; according to the Treaties
 ‘ ratified in both Parliaments, the brotherly
 ‘ Affection which they bear to that Nation, and
 ‘ the Interest they have in the Prosperity thereof,
 ‘ so much conducing to the Establishment and Security
 ‘ of the true Religion and just Liberties of
 ‘ this Kingdom.

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‘ For the better improving and applying this mutual Union and Correspondence to the Settling of the present Troubles, it is desired by both Houses of this Parliament of *England*, That their Lordships will send a Catalogue of those several *Messages, Declarations, Answers and Instructions*, which they have received from his Majesty, that concern this Kingdom; that so they may the better remove any Doubt or Mistake of their Actions, which may be drawn from any such Writings; and they likewise intend to send to the Council of *Scotland*, such *Declarations, Petitions, and Remonstrances* as they shall have Occasion to make to his Majesty and this Kingdom; whereby their Lordships may be the more fully informed of the true Grounds of their Proceedings, and the Amity and mutual Intelligence betwixt the two Kingdoms may be held in continual Practice and Exercise for the Good of both.’

About this Time a long *Declaration*, or *Remonstrance*, of Parliament was published, in pursuance of an *Order* of both Houses, of the 19th Instant, for that Purpose. As this Piece contains a Recapitulation of all the Errors and Miscarriages in Government from the Dissolution of the last Parliament, and also a Vindication of the Proceedings of this Parliament in consequence thereof, it is too important to be omitted, meerly on account of its Prolixity; and especially as the Proceedings subsequent thereto would be rendered utterly unintelligible by the Omission of this and the like long *Declarations*.—An Abridgement thereof would be to no Purpose, since several of the succeeding Contests, between the King and Parliament, took their Rise from particular Phrases and Expressions in these before us.

A Declaration of both Houses recapitulating the Messages, &c. between them and the King.

THE infinite Mercy and Providence of Almighty God hath been abundantly manifested, since the Beginning of this Parliament, in great Variety of Protections and Blessings; whereby he hath not only delivered us from many wicked

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ed Plots and Designs, which, if they had taken Effect, would have brought Ruin and Destruction upon this Kingdom; but, out of those Attempts, hath produced divers evident and remarkable Advantages to the Furtherance of those Services, which we have been desirous to perform to our Sovereign Lord the King, and to this Church and State, in providing for the Public Peace and Prosperity of his Majesty and all his Realms; which, in the Presence of the same all-seeing Deity, we protest to have been, and still to be, the only End of all our Counsels and Endeavours; wherein we have resolved to continue freed and enlarged from all private Aims, personal Respects, or Passions whatsoever.

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In which Resolution we are nothing discouraged, although the Heads of the Malignant Party, disappointed of their Prey, the Religion and Liberty of this Kingdom, which they were ready to seize upon and devour before the Beginning of this Parliament, have still persisted, by new Practices, both of Force and Subtilty, to recover the same again; for which Purpose they have made several Attempts for the bringing up of the Army: They afterwards projected the false Accusation of the Lord *Kymbolton* and the five Members of the House of Commons; which being in itself of an odious Nature, they yet so far prevailed with his Majesty as to procure him to take it upon himself; but when the unchangeable Duty and Faithfulness of the Parliament could not be wrought upon, by such a Fact as that, to withdraw any Part of their Reverence and Obedience from his Majesty; they have, with much Art and Industry, advised his Majesty to suffer divers unjust Scatidals and Imputations upon the Parliament to be published in his Name; whereby they might make it odious to the People, and, by their Help, to destroy that, which, hitherto, hath been the only Means of their own Preservation.

For this Purpose they have drawn his Majesty into the *Northern* Parts, far from the Parliament, that

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that so false Rumours might have Time to get Credit, and the just Defences of the Parliament find a more tedious, difficult, and disadvantageous Access, after those false Imputations and Slanders had been first rooted in the Apprehension of his Majesty and his Subjects; which, the more speedily to effect, they have caused a Press to be transported to *York*, from whence several Papers and Writings of that Kind are conveyed to all Parts of the Kingdom, without the Authority of the Great Seal, in an unusual and illegal Manner, and without the Advice of his Majesty's Privy Council; from the greater and better Part whereof having withdrawn himself, as well as from his great Council of Parliament, he is thereby exposed to the wicked and unfaithful Counsels of such as have made the Wisdom and the Justice of Parliament dangerous to themselves; and this Danger they labour to prevent by hiding their own Guilt, under the Name and Shadow of the King; infusing into him their own Fears, and, as much as in them lies, aspersing his Royal Person and Honour with their own Infamy; from both which it hath always been as much the Care, as it is the Duty, of the Parliament to preserve his Majesty, and to fix the Guilt of all evil Actions and Counsels upon those who have been the Authors of them.

Amongst divers Writings of this Kind, we, the Lords and Commons in Parliament, have taken into our Consideration two *printed Papers*; the first containing a *Declaration* which we received from his Majesty, in *Answer* to that which was presented to his Majesty, from both Houses of Parliament, at *Newmarket*, the 9th of *March*, 1641, the other, his Majesty's *Answer* to the *Petition* of both Houses, presented to his Majesty the 26th of *March*, 1642; both which are filled with harsh Censures and causeless Charges upon the Parliament, concerning which we hold it necessary to give Satisfaction to the Kingdom, seeing we find it very difficult to satisfy his Majesty; whom, to our great

great Grief, we have found to be so engaged to, and possessed by, those Misapprehensions which evil Counsellors have wrought in him, that our most humble and faithful *Remonstrances* have rather irritated and imbittered, than any thing allayed or mitigated, the sharp Expressions which his Majesty hath been pleased to make in Answer unto them; for the Manifestation whereof, and of our own Innocency, we desire that all his Majesty's loving Subjects may take Notice of these Particulars.

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We know no Occasion given by us, which might move his Majesty to tell us, *That*, in our *Declaration*, presented at *Newmarket*, there were some *Expressions different from the usual Language to Princes*.

Neither did we tell his Majesty, either in Words or in Effect, *That if he did not join with us in an Act, which his Majesty conceived might prove prejudicial and dangerous to himself and the whole Kingdom, we would make a Law without him, and impose it upon the People*. That which we desired was, *That, in regard of the imminent Danger of the Kingdom, the Militia, for the Security of his Majesty and his People, might be put under the Command of such noble and faithful Persons as they had all Cause to confide in*: And such was the Necessity of this Preservation, that we declared, *That if his Majesty should refuse to join with us therein, the two Houses of Parliament, being the Supream Court and Highest Council of the Kingdom, were enabled, by their own Authority, to provide for the repulsing of such imminent and evident Danger, not by any new Law of their own making, as hath been untruly suggested to his Majesty; but by the most antient Law of this Kingdom, even that which is Fundamental and Essential to the Constitution and Subsistence of it*.

Altho' we never desired to encourage his Majesty to such *Replies* as might produce any Contestation betwixt him and his Parliament, of which we never found better Effect than Loss of Time and Hinderance of the public Affairs; yet we have been far from telling him, *Of how little*

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Value his Words would be with us, much less when they are accompanied with Actions of Love and Justice. His Majesty hath more Reason to find Fault with those wicked Counsellors, who have so often bereaved him of the Honour, and his People of the Fruit, of many gracious *Speeches* which he made to them; such as those in the End of the last Parliament, *That on the Word of a King, and as he was a Gentleman, he would redress the Grievances of his People, as well out of Parliament as in it.* Were the Searching the Studies and Chambers, yea, the Pockets, of some, both of the Nobility and Commons, the very next Day; the Commitment of Mr. *Bellasis*, Sir *John Hotham*, and Mr. *Crew*; the continued Oppressions by *Ship-Money*, *Coat and Conduct-Money*, with the manifold Imprisonments, and other Vexations thereupon, and other ensuing Violations of the Laws and Liberties of the Kingdom, (all which were the Effects of evil Counsel, and abundantly declared in our *general Remonstrance of the State of the Kingdom*) Actions of Love and Justice, suitable to such Words as those?

As gracious was his Majesty's *Speech* in the Beginning of this Parliament, *That he was resolved to put himself, freely and clearly, upon the Love and Affection of his English Subjects.* Whether his causeless Complaints and Jealousies, the unjust Imputations so often cast upon his Parliament, his Denial of their necessary Defence by the *Ordinance* of the *Militia*, his dangerous Absenting himself from his great Council, like to produce such a mischievous Division in the Kingdom, have not been more suitable to other Men's evil Counsels than to his own Words, will easily appear to any indifferent Judgment.

Neither have his latter *Speeches* been better used and preserved by these evil and wicked Counsellors: Could any Words be fuller of Love and Justice than these, in his *Answer* to the *Message* sent by the House of Commons the 31st of *December*, 1641, *We do engage unto you solemnly the Word of*

' a King, that the Security of all and every one of you
' from Violence is, and ever shall be, as much our
' Care, as the Preservation of us and our Children.

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' And could any Actions be fuller of Injustice and Vi-
' olence than that of the Attorney-General, in falsly
' accusing the six Members of Parliament, and the
' other Proceedings thereupon, within three or four
' Days after that *Message*? For the full View
' whereof let the *Declaration*, made of those Pro-
' ceedings, be perused. By these Instances (we
' could add many more) let the World judge, who
' deserves to be taxed with Disvaluing his Majesty's
' Words; they who have, as much as in them lies,
' stained and sullied them with such foul Counsels;
' or the Parliament, who have ever manifested,
' with Joy and Delight, their humble Thankfulness
' for those gracious Words and Actions of Love
' and Justice, which have been conformable there-
' unto.

' The King is pleased to disavow the having any
' such evil Counsel, or Counsellors, as are men-
' tioned in our *Declaration*, to his Knowledge; and
' we hold it our Duty humbly to avow there are
' such, or else we must say, That all the ill Things,
' done of late in his Majesty's Name, have been
' done by himself; wherein we should neither fol-
' low the Direction of the Law, nor the Affection
' of our own Hearts; which is, as much as may be,
' to clear his Majesty from all Imputation of Mis-
' government, and to lay the Fault upon his Mi-
' nisters. The false Accusing of six Members of
' Parliament; the Justifying Mr. Attorney in that
' false Accusation; the violent Coming to the
' House of Commons; the Denial of the *Militia*;
' the sharp *Messages* to both Houses, contrary to the
' Custom of former Kings; the long and remote
' Absence of his Majesty from Parliament; the
' heavy and wrongful Taxes upon both Houses; the
' Cherishing and Countenancing a discontented Par-
' ty in the Kingdom against them: These certainly
' are the Fruits of very ill Counsel, apt to put the
' Kingdom into a Combustion, to hinder the Sup-

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plies of *Ireland*, and to countenance the Proceedings and Pretensions of the Rebels there; and the Authors of these evil Counsels, we conceive, must needs be known to his Majesty; and we hope our labouring with his Majesty to have these discovered and brought to a just Censure, will not so much wound his Honour in the Opinion of his good Subjects, as his labouring to preserve and conceal them.

And whereas his Majesty saith, *He could wish that his own immediate Actions, which he avows on his own Honour, might not be so roughly censured under that common Style of evil Counsellors*: We could also heartily wish, we had not Cause to make that Style so common; but how often and undutifully soever these wicked Counsellors fix their Dishonour upon the King, by making his Majesty the Author of those evil Actions which are the Effects of their own evil Counsels, we his Majesty's loyal and dutiful Subjects can use no other Style, according to that Maxim in the Law, *The King can do Wrong*; but if any Ill be committed in Matter of State, the Council must answer for it; if in Matters of Justice, the Judges.

We lay no Charge upon his Majesty, which should put him upon that Apology, concerning his faithful and zealous Affection to the *Protestant* Profession; neither doth his Majesty endeavour to clear those in greatest Authority about him, by whom, we say, that Design hath been potently carried on for divers Years; and we rather wish that the Mercies of Heaven, than the Judgments, may be manifested upon them; but that there have been such, there are so plentiful and frequent Evidences, that we believe there is none, either *Protestant* or *Papist*, who hath had any reasonable View of the Passages of latter Times, but, either in Fear or Hope, did expect a sudden Issue of this Design.

We have no Way transgressed against the *Act of Oblivion*, by remembring the intended War against *Scotland*, as a Branch of that Design to alter

ter Religion, by those wicked Counsels, from which God did then deliver us, which we ought never to forget.

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That the Rebellion in *Ireland* was framed and cherished by the *Papist* and Malignant Party in *England*, is not only affirmed by the Rebels, but may be cleared by many other Proofs: The same rebellious Principles of pretended Religion, the same politic Ends are apparent in both; and their malicious Designs and Practices are masked and disguised with the same false Colour of their earnest Zeal to vindicate his Majesty's Prerogative from the supposed Oppression of the Parliament: How much these treacherous Pretences have been countenanced by some evil Counsel about his Majesty may appear in this, That the *Proclamation*, whereby they were declared Traitors, was so long withheld as to the second of *January*, though the Rebellion broke forth in *October* before; and then no more but forty Copies appointed to be printed, with a special Command from his Majesty not to exceed that Number; and that none of them should be published till his Majesty's Pleasure were further signified, as by the *Warrant* appears (*b*); so that a few only could take Notice of it: This was made more observable, by the late contrary Proceedings against the *Scots*; who were, in a very quick and sharp Manner, proclaimed Traitors; and those Proclamations forthwith dispersed, with as much Diligence as might be, through all the Kingdom, and ordered to be read in all Churches,

B 3

'ac-

(*b*) The *Warrant* here referred to was as follows:

'It is his Majesty's Pleasure that you forthwith print, in a very good Paper, and send unto me, for his Majesty's Service, forty Copies of the *Proclamation* inclosed, leaving a convenient Space for his Majesty to sign above, and to affix the Privy-Signet underneath; And his Majesty's express Command is, That you print not above the said Number of forty Copies; and forbear to make any further Publication of them, till his Pleasure be further signified, for which this shall be your Warrant.'

Whitehall, January, 2,
1641.

EDWARD NICHOLAS.

To his Majesty's Printer.

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accompanied with public Prayers and Execrations.
 Another Evidence of Favour and Countenance to
 the Rebels, in some of Power about his Majesty,
 is this, That they have put forth, in his Majesty's
 Name, a causeless Complaint against the Parlia-
 ment, which speaketh the same Language of the
 Parliament which the Rebels do; thereby to raise
 a Belief in Men's Minds, that his Majesty's Af-
 fections are alienated, as well as his Person is re-
 moved, from that his great Council. All which
 doth exceedingly retard the Supplies of *Ireland*,
 and more advance the Proceedings of the Rebels,
 than any Jealousy or Misapprehension begotten in
 his Subjects, by the Declaration of the Rebels, the
 Injunctions of *Rosetti*, or the Information of *Tri-
 stram Whitcombe*: So that, considering the present
 State and Temper of both Kingdoms, his Royal
 Presence is far more necessary here than it can be
 in *Ireland*, for the Redemption or Protection of
 his Subjects there.

And whether there be any Cause of his Maje-
 sty's great Indignation, for being reproached to have
 intended Force or Threatning to the Parliament,
 we desire them to consider who shall read our *De-
 claration*; in which there is no Word tending to any
 such Reproach: And certainly we have been more
 tender of his Majesty's Honour in this Point, than
 he, whosoever he was, that did write this *Declara-
 tion*; where, in his Majesty's Name, he doth call
 God to witness, *He never had any such Thought,
 or knew of any such Resolution of bringing up the
 Army*; which, truly, will seem strange to those,
 who shall read the Deposition of Mr. *Goring*, the
 Information of Mr. *Percy*, and divers Exami-
 nations of Mr. *Wilmot*, Mr. *Pollard*, and others;
 the Examinations of Capt. *Legge*, Sir *Jacob Ast-
 ley*, and Sir *John Conyers*; and consider the Con-
 dition and Nature of the *Petition*, which was sent
 unto Sir *Jacob Astley*, under the Approbation of
 C. R. which his Majesty doth now acknowledge
 to be his own Hand, which, being full of Scandal
 to the Parliament, might have proved dangerous
 to

‘ to the whole Kingdom, if the Army should have
 ‘ interposed betwixt the King and them, as was
 ‘ desired. An. 18. Car. I.
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‘ We do not affirm *That his Majesty's Warrant*
 ‘ *was granted for the Passage of Mr. Jermine, after*
 ‘ *the Desire of both Houses for the Restraint of his*
 ‘ *Servants ; but only, That he did pass over, after*
 ‘ *that Restraint, by virtue of such a Warrant.* We
 ‘ know the Warrant bears Date the Day before our
 ‘ Desire ; yet it seems strange to those who know
 ‘ what great Respect and Power Mr. *Jermine* had
 ‘ in Court, that he should begin his Journey in
 ‘ such Haste, and in Apparel so unfit for Travel,
 ‘ as a black Sattin Suit and white Boots, if his going
 ‘ away were designed the Day before.

‘ The Accusation of the Lord *Kimbolton* and the
 ‘ five Members of the House of Commons, is called
 ‘ a Breach of Privilege ; and truly so it was, and a
 ‘ very high one, far above any Satisfaction that
 ‘ hath been yet given. How can it be said to be
 ‘ *largely satisfied*, so long as his Majesty laboured to
 ‘ preserve Mr. Attorney from Punishment, who
 ‘ was the visible Actor in it ? So long as his Majesty
 ‘ hath not only justified him, but, by his Letter,
 ‘ declared, *That it was his Duty to accuse them ;*
 ‘ *and that he would have punished him, if he had not*
 ‘ *done it ?* So long as those Members have not the
 ‘ Means of clearing their Innocency, and the Au-
 ‘ thors of that malicious Charge undiscovered, tho’
 ‘ both Houses of Parliament have several Times
 ‘ petitioned his Majesty to discover them ; and that
 ‘ not only upon Grounds of common Justice, but
 ‘ by Act of Parliament, his Majesty is bound to
 ‘ do it ? So long as the King refuseth to pass a Bill
 ‘ for their Discharge, alledging, *That the Narrative*
 ‘ *in that Bill is against his Honour ;* whereby he seems
 ‘ still to avow the Matter of that false and scanda-
 ‘ lous Accusation, though he deserts the Prosecu-
 ‘ tion ; offering to pass a Bill for their Acquittal,
 ‘ yet with Intimation, *That they must desert the A-*
 ‘ *vowing their own Innocency ?* which would more
 ‘ wound

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wound them in Honour, than secure them in Law.

And, in Vindication of this great Privilege of Parliament, we do not know that we have invaded any Privilege belonging to his Majesty, as is alleged in this *Declaration*.

But we look not upon this, only, in the Notion of a Breach of Privilege, which might be, though the Accusation were true or false; but under the Notion of a heinous Crime in the Attorney and all other Subjects who had a Hand in it; a Crime against the Law of Nature; against the Rules of Justice, that innocent Men should be charged with so great an Offence as Treason, in the Face of the highest Judicatory of the Kingdom; whereby their Lives and Estates, their Blood and Honour, are endangered, without Witness, without Evidence, without all Possibility of Reparation, in a legal Course; yet a Crime of such a Nature, that his Majesty's Command can no more warrant, than it can any other Acts of Injustice. It is true, those Things which are evil in their own Nature, such as a false Testimony or false Accusation, cannot be the Subject of any Command, or induce any Obligation of Obedience upon any Man, by any Authority whatsoever; therefore the Attorney, in this Case, was bound to refuse to execute such a Command, unless he had some such Evidence or Testimony as might have warranted him against the Parties, and be liable to make Satisfaction if it should prove false: And it is sufficiently known to every Man, and adjudged in Parliament, that the King can be neither Relator, Informer, nor Witness. If it rest as it is, without further Satisfaction, no future Parliament can be safe but that the Members may be taken and destroyed at Pleasure; yea the very Principles of Government and Justice will be in Danger to be dissolved.

We do not conceive that Numbers do make an Assembly unlawful; but when either the End or Manner of their Carriage shall be unlawful.

Di-

' Divers just Occasions might draw the Citizens An. 18. Car. I.
 ' to *Westminster*, where many *public* and *private* 1642.
 ' *Petitions*, and other Causes, were depending in
 ' Parliament; and why that should be found more
 ' faulty in the Citizens, than the Resort of great
 ' Numbers every Day in the Term to the ordinary
 ' Courts of Justice, we know not. That those
 ' Citizens were notoriously provoked and assaulted
 ' at *Westminster*, by Colonel *Lunsford*, Captain
 ' *Hide*, with divers others, and by some of the Ser-
 ' vants of the Archbishop of *York*, is sufficiently
 ' proved; and that afterward they were more vio-
 ' lently wounded, and most barbarously mangled
 ' with Swords by the Officers and Soldiers near
 ' *Whitehall*, many of them being without Weapons,
 ' and giving no Cause of Distaste, is likewise proved
 ' by several Testimonies: But of any scandalous
 ' or seditious Misdemeanors of theirs, that might
 ' give his Majesty good Cause to suppose his own
 ' Person, or those of his Royal Consort or Chil-
 ' dren, to be in apparent Danger, we have had no
 ' Proof ever offered to either House; and if there
 ' had been any Complaint of that Kind, it is no
 ' Doubt the Houses would have been as forward to
 ' join in an *Order* for the Suppressing of such Tu-
 ' mults, as they were, not long before, upon a-
 ' nother Occasion, when they made an *Order* to
 ' that Purpose: Whereas those Officers and Soldiers,
 ' which committed that Violence upon so many of
 ' the Citizens at *Whitehall*, were cherished and
 ' fostered in his Majesty's House; and when, not
 ' long after, the Common Council of *London* pre-
 ' sented a *Petition* to his Majesty for Reparation of
 ' those Injuries, his Majesty's *Answer* was, without
 ' hearing the Proof of the Complainants, *That if*
 ' *any Citizen were wounded or ill treated, his Majesty*
 ' *was confidently assured that it happened by their*
 ' *own evil and corrupt Demeanors.*

' We hope it cannot be thought contrary to the
 ' Duty and Wisdom of a Parliament, if many con-
 ' curring, and frequently reiterated and renewed,
 ' Advertisements from *Rome*, *Venice*, *Paris*, and
 ' other

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other Parts ; if the Solicitation of the *Pope's Nuncio* and our own discontented Fugitives, do make us jealous and watchful for the Safety of the State. And we have been very careful to make our Expressions thereof so easy and so plain to the Capacity and Understanding of the People, that nothing might, justly, stick with them with Reflection upon the Person of his Majesty ; wherein we appeal to the Judgment of any indifferent Person, who shall read and peruse our own Words.

We must maintain the Ground of our Fears to be of that Moment, that we cannot discharge the Trust and Duty which lies upon us, unless we do apply ourselves to the Use of those Means, to which the Law hath enabled us, in Cases of this Nature, for the necessary Defence of the Kingdom : And as his Majesty doth graciously declare, *The Law shall be the Measure of his Power* ; so do we most heartily profess, *That we shall always make it the Rule of our Obedience.*

Prudent Omissions in the KING's ANSWER.

The next Point of our *Declaration* was, with much Caution, artificially passed over by him who drew his Majesty's *Answer* ; it being indeed the Foundation of all our Misery and his Majesty's Trouble, That he is pleased to hear general Taxes upon his Parliament, without any particular Charge to which they may give Satisfaction ; and that he hath often conceived Displeasure against particular Persons upon Misinformation, and although those Informations have been clearly proved to be false, yet he would never bring the Accusers to Question ; which layeth an Impossibility upon honest Men of clearing themselves, and gives Encouragement unto false and unworthy Persons to trouble him with untrue and groundless Informations. Three Particulars we mentioned in our *Declaration*, which the Penner of that *Answer* had good Cause to omit, viz. *The Words supposed to be spoken at Kensington ; the pretended Articles against the Queen ; and the groundless Accusa-*
tion

tion of the six Members of the Parliament; there being nothing to be said in Defence or Denial of any of them. An. 13. Car. I.
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Concerning his Majesty's Desire to join with his Parliament, and with his faithful Subjects, in Defence of Religion and the Public Good of the Kingdom; we doubt not but he will do it fully when evil Counsellors shall be removed from about him; and untill that be, as we shewed before of Words, so must we also say of Laws, that they cannot secure us: Witness the *Petition of Right*, which was followed with such an Inundation of illegal Taxes, that we had just Cause to think that the Payment of 820,000 *l.* was an easy Burden to the Common-Wealth in Exchange of them: And we cannot but justly think, that, if there be a Continuance of such ill Counsellors and Favour to them, they will, by some wicked Device or other, make the Bill for the *Triennial Parliament*, and those other excellent Laws mentioned in his Majesty's *Declaration*, of less Value than Words.

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That excellent Bill, for the *Continuance of this Parliament*, was so necessary, that, without it, we could not have raised such great Sums of Money for the Service of his Majesty and the Common-Wealth as we have done; and, without which, the Ruin and Destruction of the Kingdom must needs have followed: And we are resolved the gracious Favour of his Majesty expressed in that Bill, and the Advantage and Security which, thereby, we have from being dissolved, shall not encourage us to do any thing, which, otherwise, had not been fit to have been done. And we are ready to make it good before all the World, that although his Majesty hath passed many Bills very advantageous for the Subject; yet, in none of them, have we bereaved his Majesty of any just, necessary, or profitable Prerogative of the Crown.

We so earnestly desire his Majesty's Return to London, that upon it, we conceive, depends the very Safety and Being of both his Kingdoms.

And

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And therefore we must protest, That, as for the Time past, neither the Government of *London*, nor any Laws of the Land, have lost their Life and Force for his Security; so, for the future, we shall be ready to do or say any thing that may stand with the Duty or Honour of a Parliament, which may raise a mutual Confidence betwixt his Majesty and us, as we do wish, and as the Affairs of the Kingdom do require.

Thus far the *Answer* to that which is called his Majesty's *Declaration* hath led us, now we come to that which is intitled, *His Majesty's Answer to the Petition of both Houses*, presented to him at *York* the 26th of *March*, 1642. In the Beginning whereof his Majesty wisheth, *That our Privileges on all Parts were so stated, that this Way of Correspondency might be preserved, with that Freedom which hath been used of old*: We know nothing introduced by us, that gives any Impediment hereunto; neither have we affirmed our Privileges to be broken, when his Majesty denies us any thing, or gives a Reason why he cannot grant it; or that those, who advised such Denial, were Enemies to the Peace of the Kingdom, and Favourers of the *Irish* Rebellion; in which Asperſion, that is turned into a general Assertion, which, in our *Votes*, is apply'd to a particular Case; wherefore we must maintain our *Votes*, *That those who advised his Majesty to contradict that which both Houses, in the Question concerning the Militia, had declared to be Law, and command it should not be obeyed, is a high Breach of Privilege; and that those who advised his Majesty to absent himself from his Parliament, are Enemies to the Peace of the Kingdom, and justly to be suspected to be Favourers of the Rebellion in Ireland*: The Reasons of both are evident; because, in the *first*, there is a great Derogation from the Trust and Authority of Parliament; and, in the *second*, as much Advantage to the Proceedings and Hopes of the Rebels, as may be. And we hold it a very causeless Imputation upon the Parliament,

That

‘ That we have herein any way impeach’d, much
 ‘ less taken away, the Freedom of his Majesty’s
 ‘ Vote; which doth not import a Liberty for
 ‘ his Majesty to deny any thing, how necessary so-
 ‘ ever, for the Preservation of the Kingdom; much
 ‘ less a Licence to evil Counsellors to advise any
 ‘ thing, though never so destructive to his Majesty
 ‘ and his People.

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‘ By the *Message* of the 20th of *January*, his
 ‘ Majesty did propound to both Houses of Parlia-
 ‘ ment, *That they would, with all Speed, fall into*
 ‘ *a serious Consideration of all those Particulars which*
 ‘ *they thought necessary, as well for the Upholding*
 ‘ *and Maintaining his Majesty’s just and Regal Au-*
 ‘ *thority, and for Settling his Revenue, as for the pre-*
 ‘ *sent and future Establishing our Priviledges; the free*
 ‘ *and quiet Enjoying our Estates; the Liberties of our*
 ‘ *Persons; the Security of the true Religion professed*
 ‘ *in the Church of England; and the Settling of Cere-*
 ‘ *monies in such a Manner as may take away all just*
 ‘ *Offence; and to digest it into one entire Body.*

‘ To that Point of Upholding and Maintaining
 ‘ his Royal Authority; we say nothing hath been
 ‘ done to the Prejudice of it, that should require
 ‘ any new Provision. To the other, of Settling the
 ‘ Revenue; the Parliament hath no way abridged or
 ‘ disorder’d his just Revenue; but it is true, that much
 ‘ Waste and Confusion of his Majesty’s Estate hath
 ‘ been made, by those evil and unfaithful Ministers
 ‘ whom he hath employed in the managing of it;
 ‘ whereby his own ordinary Expences would have
 ‘ been disappointed, and the Safety of the Kingdom
 ‘ more endangered, if the Parliament had not, in
 ‘ some Measure, provided for his Household, and for
 ‘ some of the Forts, more than they were bound
 ‘ to do; and they are still willing to settle such a
 ‘ Revenue upon his Majesty as may make him live
 ‘ royally, plentifully, and safely; but they cannot,
 ‘ in Wisdom and Fidelity to the Common-Wealth,
 ‘ do this, ’till he shall chuse such Counsellors and
 ‘ Officers as may order and dispose it to the Public
 ‘ Good; and not apply it to the Ruin and De-
 ‘ struction

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struction of his People, as heretofore it hath been :
But this, and the other Matters concerning our-
selves, being Works of great Importance, and
full of Intricacy, will require so long a Time of
Deliberation, that the Kingdom might be ruined
before we should effect them ; wherefore we
thought it necessary, first to be Suitors to his
Majesty so to order the *Militia*, that, the King-
dom being secured, we might, with more Ease
and Safety, apply ourselves to debate of that *Mes-
sage* ; wherein we have been interrupted by his
Majesty's Denial of the *Ordinance* concerning the
same ; because it would be in vain for us to labour in
other Things, and, in the mean time, to leave our-
selves naked to the Malice of so many Enemies,
both at home and abroad : Yet we have not been
altogether negligent of those Things, which his
Majesty is pleased to propound in that *Message* ;
we have agreed upon a Book of Rates, in a larger
Proportion than hath been granted to any of his
Majesty's Predecessors, which is a considerable
Support of his Majesty's publick Charge ; and
have likewise prepared divers Propositions and
Bills for the Preservation of our Religion and
Liberties, which we intend shortly to present to
his Majesty ; and to do whatsoever is fit for us, to
make up this unpleasant Breach betwixt his Ma-
jesty and the Parliament.

Whereas divers Exceptions are here taken con-
cerning the *Militia* ; first, *That his Majesty never
denied the Thing, but accepted the Persons, except
for Corporations ; only that he denied the way.* To
which we answer, That that Exception takes off
London, and all other great Towns and Cities,
which makes a great Part of the Kingdom ; and
for the Way of *Ordinance*, it is antient, more
speedy, more easily alterable ; and, in all these
and other Respects, more proper and more ap-
plicable to the present Occasion ; than a *Bill*,
which his Majesty calls *the only good old Way of im-
posing upon the Subjects.* It should seem that nei-
ther his Majesty's Royal Predecessors, nor our
An-

“ Ancestors, have heretofore been of that Opini- An. 18. Car. I.
 “ on ; for in 37. *Edward III.* we find this Record, 1642.
 “ The Chancellor made Declaration of the Chal-
 “ lenge of the Parliament ; the King desires to
 “ know the Grievs of his Subjects, and to redress
 “ Enormities. The last Day of the Parliament the
 “ King demanded of the whole Estates, Whether
 “ they would have such Things as they agreed on,
 “ by way of *Ordinance* or *Statute* ; who answered,
 “ By way of *Ordinance*, for that they might amend
 “ the same at their Pleasure ; and so it was. (i)

“ But his Majesty objects further, *That there is*
 “ *somewhat in the Preface, to which he could not con-*
 “ *sent with Justice to his Honour and Innocence ; and*
 “ *that thereby he is excluded from any Power in*
 “ *the Disposing thereof.* These Objections may
 “ seem somewhat, but indeed will appear nothing,
 “ when it shall be considered, That nothing in the
 “ Preamble lays any Charge upon his Majesty ; or,
 “ in the Body of the *Ordinance*, that excludes his
 “ Royal Authority in the Disposing or Execution
 “ of it ; but only it is provided, *That it should be*
 “ *signified by both Houses of Parliament,* as that Chan-
 “ nel through which it will be best derived, and,
 “ most certainly, to those Ends for which it is in-
 “ tended : And let all the World judge, whether
 “ we have not Reason to insist upon it, That the
 “ Strength of the Kingdom should rather be order-
 “ ed according to the Direction or Advice of the
 “ Great Council of the Land, equally intrusted by
 “ the King and the Kingdom, than that the Safety
 “ of the King, Parliament, and Kingdom should be
 “ left at the Devotion of a few unknown Counsel-
 “ lers ; many of them not intrusted at all by the
 “ King in any public Way, nor at all confided in
 “ by the Kingdom.

“ We wish the Danger were not imminent, or
 “ not still continuing ; but we cannot conceive
 “ that the long Time spent in this Debate is Evi-
 “ dence sufficient, *That there was no such Necessity or*
 “ *Dan-*

(i) The Reader will find the Authority, here cited, in our First
 Volume, Page 295.

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*Danger, but a Bill might easily have been prepared; for when many Causes do concur to the Danger of a State, the Interruption of any one may hinder the Execution of the rest, and yet the Design be still kept on foot for better Opportunities: Who knows whether the ill Success of the Rebels in Ireland hath not hindred the Insurrection of the Papists here? Whether the Preservation of the six Members of the Parliament, falsely accused, hath not prevented that Plot of the breaking the Neck of the Parliament, of which we were informed from France, not long before they were accused? Yet, since his Majesty had been pleased to express his Pleasure rather for a *Bill* than an *Ordinance*, and that he sent in one for that Purpose, we readily entertained it; and, with some small and necessary Alterations, speedily passed the same: But, contrary to the Custom of Parliament, and our Expectation grounded upon his Majesty's own Invitation of us to that Way, and the other Reasons manifested in our *Declaration* concerning the *Militia*, of the fifth of *May*, instead of his Royal Assent, we met with an absolute Refusal.*

If the Matter of those our Votes of the 15th, and 16th of March, be according to Law, we hope his Majesty will allow the Subjects to be bound by them; because he hath said, He will make the Law the Rule of his Power: And if the Question be, Whether that be Law which the Lords and Commons have once declared to be so, who shall be the Judge? Not his Majesty, for the King judgeth not of Matters of Law, but by his Courts; and his Courts, though sitting by his Authority, expect not his Assent in Matters of Law: Not any other Courts, for they cannot judge in that Case, because they are inferior; no Appeal lying to them from Parliament, the Judgment whereof is, in the Eye of the Law, the King's Judgment in his highest Court; though the King, in his Person, be neither present nor assenting thereunto.

The

The Votes at which his Majesty takes Exceptions ^{An. 18. Car. I.}
are these: ^{1642.}

1. That the King's Absence so far remote from the Parliament, is not only an Obstruction, but may be a Destruction to the Affairs of Ireland.

2. That when the Lords and Commons shall declare what the Law of the Land is, to have this not only questioned and controverted, but contradicted, and a Command that it should not be obeyed, is a high Breach of the Privilege of Parliament.

3. That those Persons that advised his Majesty to absent himself from the Parliament, are Enemies to the Peace of the Kingdom, and justly may be suspected to be Favourers of the Rebellion in Ireland.

4. That the Kingdom hath been of late, and still is, in so imminent Danger, both from Enemies abroad, and a Popish and discontented Party at Home, that there is an urgent and inevitable Necessity of putting his Majesty's Subjects into a Posture of Defence, for the Safeguard both of his Majesty and his People.

5. That the Lords and Commons, fully apprehending this Danger, and being sensible of their own Duty to provide a suitable Prevention, have, in several Petitions, addressed themselves to his Majesty for the Ordering and Disposing the Militia of the Kingdom, in such a Way as was agreed upon, by the Wisdom of both Houses, to be most effectual and proper for the present Exigencies of the Kingdom, yet could not obtain it; but his Majesty did, several Times, refuse to give his Royal Assent thereunto.

6. That in this Case of extreme Danger, and his Majesty's Refusal, the Ordinance of Parliament agreed upon by both Houses, for the Militia, doth oblige the People; and ought to be obeyed, by the Fundamental Laws of this Kingdom.

By all which it doth appear, that there is no Colour of this Tax, That we go about to introduce a new Law, much less to exercise an arbitrary Power; but indeed to prevent it: For this Law is as old as the Kingdom. That the Kingdom must

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must not be without a Means to preserve itself ;
which, that it may be done without Confusion,
this Nation hath intrusted certain Hands with a
Power to provide, in an orderly and regular Way,
for the Good and Safety of the Whole ; which
Power, by the Constitution of this Kingdom, is
in his Majesty and in his Parliament together ; yet
since the Prince, being but one Person, is more
subject to Accidents of Nature and Chance, where-
by the Common-Wealth may be deprived of the
Fruit of that Trust which was in part reposed in
him ; in Cases of such Necessity, that the Kingdom
may not be enforced presently to return to its first
Principles, and every Man left to do what is right in
his own Eyes, without either Guide or Rule, the
Wisdom of this State hath intrusted the Houses of
Parliament with a Power to supply what shall be
wanting on the Part of the Prince ; as is evident
by the constant Custom and Practice thereof, in
Cases of Non-Age, natural Disability, and Cap-
tivity ; and the like Reason doth, and must, hold
for the Exercise of the same Power in such Cases,
where the Royal Trust cannot be or is not dis-
charged, and that the Kingdom runs an evident
and imminent Danger thereby ; which Danger,
having been declared by the Lords and Commons
in Parliament, there needs not the Authority of
any Person or Court to affirm, nor is it in the
Power of any Person or Court to revoke, that
Judgment.

We know the King hath Ways enough, in his
ordinary Courts of Justice, to punish such seditious
Pamphlets and Sermons as are any way prejudicial
to his Rights, Honour, and Authority ; and if any
of them have been so insolently violated and vilified,
his Majesty's own Counsel and Officers have been
to blame, and not the Parliament ; we never did
restrain any Proceedings of that Kind in other
Courts, nor refuse any fit Complaint to us. The
Protestation protested was referred by the Com-
mons House to a Committee, and the Author not
being

‘ being produced, the Printer was committed to Pri-
 ‘ son, and the Book voted by that Committee to
 ‘ be burnt; but Sir *Edward Dering*, who was to
 ‘ make that Report of the *Votes* of that Commit-
 ‘ tee, neglected to make it: The *Apprentices Pro-*
 ‘ *testation* was never complained of; but the other
 ‘ seditious Pamphlet, *To your Tents, O Israel*, was
 ‘ once questioned, and the full Prosecution of it
 ‘ was not interrupted by any Fault of either House;
 ‘ whose Forwardness to do his Majesty all Right
 ‘ therein may plainly appear, in that a Committee
 ‘ of Lords and Commons was purposely appointed
 ‘ to take such Informations as the King’s Counsel
 ‘ should present, concerning seditious Words, Prac-
 ‘ tices or Tumults, Pamphlets or Sermons, tend-
 ‘ ing to the Derogation of his Majesty’s Rights, or
 ‘ Prerogative; and his Counsel were enjoined by
 ‘ that Committee, to inquire and present them, who
 ‘ several Times met thereupon, and received this
 ‘ Answer and Declaration from the King’s Coun-
 ‘ sel, *That they knew of no such Thing as yet.*

Ab. 28. Car. I.
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‘ If his Majesty had used the Service of such a
 ‘ one in penning this *Answer*, who understood the
 ‘ Laws and Government of this Kingdom, he
 ‘ would not have thought it legally in his Power to
 ‘ deny his Parliament a Guard, when they stood in
 ‘ Need of it, since every ordinary Court hath it;
 ‘ neither would his Majesty, if he had been well
 ‘ informed of the Laws, have refused such a Guard
 ‘ as they desired, it being in the Power of inferior
 ‘ Courts to command their own Guard; neither
 ‘ would he have imposed upon them such a Guard
 ‘ under a Commander which they could not con-
 ‘ fide in; which is clearly against the Privileges of
 ‘ Parliament, and of which they found very dan-
 ‘ gerous Effects, and therefore desired to have it
 ‘ discharged: But such a Guard, and so command-
 ‘ ed, as the Houses of Parliament desired, they
 ‘ could never obtain of his Majesty; and the placing
 ‘ of a Guard about them contrary to their Desire,
 ‘ was not to grant a Guard to them, but, in effect,
 ‘ to set one upon them. All which considered, we

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believe, in the Judgments of any indifferent Persons, it will not be thought strange if there were a more than ordinary Resort of People at *Westminster*, of such as came willingly, of their own Accord, to be Witnessees and Helpers of the Safety of them whom all his Majesty's good Subjects are bound to defend from Violence and Danger; or that such a Concourse as this, they carrying themselves quietly and peaceably as they did, ought, in his Majesty's Apprehension, or, can in the Interpretation of the Law, be held tumultuary and seditious.

When his Majesty, in that Question of *Violation of the Laws*, had expressed the Observation of them indefinitely, without any Limitation of Time; although we never said or thought any thing that might look like a Reproach to his Majesty, yet we had Reason to remember that it had formerly been otherwise, lest we should seem to desert our Complaints and Proceedings thereupon, as his Majesty doth seem but little to like or approve of them; for although he doth acknowledge here that great Mischief which grew by that arbitrary Power then complained of, yet such are, continually, preferred and countenanced as were Friends or Favourers of, or related unto, the chief Authors and Actors of that arbitrary Power and of those false Colours and Suggestions of imminent Danger and Necessity, whereby they did make it plausible unto his Majesty; and, on the other Side, such as did appear against them are daily discountenanced and disgraced; which, whilst it shall be so, we have no Reason to judge the Disease to be yet killed and dead at Root; and therefore no Reason to bury it in Oblivion. And whilst we behold the Spawns of those mischievous Principles cherished and fostered in that new Generation of Counsellors, Friends and Abettors of the former, or at least concurring with them in their Malignancy against the Proceedings of this Parliament, we cannot think ourselves secure from the like or a worse Danger.

And

And here the Penner of the *Answer* bestows an An. 18. Car. I.
 Admonition upon the Parliament, bidding us take
Heed we fall not upon the same Error, upon the
same Suggestions; but he might have well spared
 this, till he could have shewed wherein we had
 exercised any Power otherwise than by the Rule of
 the Law; or could have found a more authentic
 or a higher Judge in Matters of Law than the
 High Court of Parliament.

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It is declared in his Majesty's Name, *That he is*
resolved to keep the Rule himself, and, to his Power,
to require the same of all others. We must needs
 acknowledge that such a Resolution is like to bring
 much Happiness and Blessing to his Majesty and
 all his Kingdoms; yet, with Humility, we must
 confess we have not the Fruit of it, in that Case
 of the Lord *Kimbolton*, and the other five Mem-
 bers, accused contrary to Law, both Common
 Law and Statute Law, and yet remaining unsat-
 isfied; which Case was remembered in our *De-*
claration as a strange and unheard-of Violation of
 our Laws: But the Penner of this *Answer* thought
 fit to pass it over, hoping that many would read
 his Majesty's *Answer*, which hath been so care-
 fully dispersed, who would not read our *Decla-*
ration.

Whereas, after our ample Thanks and Ac-
 knowledgment of his Majesty's Favour in passing
 many good Bills, we said, *That Truth and Necess-*
ity inforced us to add this, That, in or about the
Time of passing those Bills, some Design or other
hath been on foot, which, if it had taken Effect,
would not only have deprived us of the Fruit of those
Bills, but would have reduced us to a worse Condi-
tion of Confusion, than that wherein the Parliament
found us: It is now told us, *That the King must be*
most sensible of what we cast upon him, for Requi-
tal of those good Bills; whereas, out of our usual
 Tenderness of his Majesty's Honour, we did not
 mention him at all: But so injurious are those
 wicked Counsellors to the Name and Honour of
 their Master and Sovereign, that, as much as they

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can, they lay their own Infamy and Guilt upon his Shoulders.

Here God is also called to witness *his Majesty's upright Intentions at the passing of those Laws.*

This we will not question; neither did we give any Occasion for such a solemn Asseveration as this is. The Devil is likewise defied to prove there was any Design, with his Majesty's Knowledge or Privity. This might well have been spared; for we spake nothing of his Majesty: But since we are so far taxed as to have it affirmed, *That we laid a notorious and false Imputation upon his Majesty*, we have thought it necessary for the just Defence of our own Innocency, to cause the *Oaths and Examinations*, which have been taken concerning the Design, to be published in a full *Narration*, for Satisfaction of all his Majesty's Subjects, out of which we shall now offer some few Particulars; whereby the World may judge whether we could have proceeded with more Tenderness toward his Majesty than we have done. Mr. *Goring* confesseth, "That the King first asked him, Whether he were engaged in any Cabal concerning the Army, and commanded him to join with Mr. *Piercy*, Mr. *Fermyn*, and some others whom they should find within at Mr. *Piercy's* Chamber, where they took the Oath of Secrecy; and then debated of a Design, propounded by Mr. *Fermyn*, to secure the *Tower*, and to consider of bringing up the Army to *London*." And Captain *Legg* confessed, "He had received the Draught of a *Petition* in the King's Presence"; and his Majesty acknowledgeth it was from his own Hand. And whosoever reads the Sum of that *Petition*, as it was proved by the Testimony of Sir *Jacob Aspley*, Sir *John Conyers*, and Captain *Legg*, will easily perceive some Points in it apt to beget in them some Discontent against the Parliament. And can any Man believe there was no Design in the Accusation of the Lord *Kimbolton* and the rest, in which his Majesty doth avow himself to be both a Com-
mander

‘ mander and an Actor ? These Things being so, An. 18. Car. I.
 ‘ it will easily appear to be as much against the 1643.
 ‘ Rules of Prudence, that the Penner of this *Answer*
 ‘ should entangle his Majesty in this unnecessary
 ‘ Apology; as it is against the Rules of Justice,
 ‘ that any Reparation from us should be either
 ‘ yielded, or demanded.

‘ It is professed in his Majesty’s Name, *That he*
 ‘ *is truly sensible of the Burdens of his People*; which
 ‘ makes us hope that he will take that Course which
 ‘ will be most effectual, to ease them of these Bur-
 ‘ dens; that is, ‘to join with his Parliament in
 ‘ preserving the Peace of the Kingdom; which, by
 ‘ his Absence from them, hath been much endanger-
 ‘ ed; and which, by hindring the voluntary Ad-
 ‘ venturers for Recovery of *Ireland*, and disabling
 ‘ the Subjects to discharge the great Tax laid upon
 ‘ them, is like to make the War much more heavy
 ‘ to the Kingdom. And for his Majesty’s Wants;
 ‘ the Parliament have been no Cause of them: We
 ‘ have not diminished his just Revenue; but
 ‘ have much eased his public Charge, and some-
 ‘ what his private. And we shall be ready, in a
 ‘ Parliamentary Way, to settle his Revenue in such
 ‘ an honourable Proportion, as may be answerable
 ‘ to both, when he shall put himself into such a
 ‘ Posture of Government, that his Subjects may be
 ‘ secure to enjoy his just Protection for their Re-
 ‘ ligion, Laws, and Liberties.

‘ We never refused his Majesty’s gracious Offer of
 ‘ a free and general Pardon, only we said, *It could*
 ‘ *be no Security to our present Fears and Jealousies*:
 ‘ And we gave a Reason for it, *That those Fears*
 ‘ *did not arise out of any Guilt of our own Actions*;
 ‘ *but out of the evil Designs and Attempts of a-*
 ‘ *thers*. And we leave it to the World to judge,
 ‘ whether we, herein, have deserved so heavy a
 ‘ Tax and Exclamation, *That it was a strange*
 ‘ *World when Princes proffered Favours are counted*
 ‘ *Reproaches*, such are the Words of his Majesty’s
 ‘ *Answer*. We do esteem that Offer as an Act of
 ‘ Princely Grace and Bounty, which, since this
 ‘ Par-

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Parliament began, we have humbly desired we might obtain; and do still hold it very necessary and advantageous for the Generality of the Subjects, upon whom these Taxes and Subsidies lie heaviest; but we see, upon every Occasion, how unhappy we are in his Majesty's Misapprehensions of our Words and Actions.

We are fully of the King's Mind as it is here declared, *That he may rest so secure of the Affections of his Subjects, that he should not stand in Need of foreign Force to preserve him from Oppression*; and are confident, that he shall never want an abundant Evidence of the good Wishes and Assistance of his whole Kingdom; especially if he shall be pleased to hold to that gracious Resolution of building upon that sure Foundation, *the Law of the Land*: But why his Majesty should take it ill, that we, having received Informations so deeply concerning the Safety of the Kingdom, should think them proper to be considered of, we cannot conceive; for although the Name of the Person were unknown, yet that which was more substantial to the Probability of the Report was known; that is, that he was Servant to the Lord Digby; who, in his presumptuous Letter to the Queen's Majesty, and other Letters to Sir Lewis Dives, had intimated some wicked Proposition suitable to that Information: But that this should require Reparation, we hold it as far from Justice as it is from Truth, *That we have mix'd any Malice with these Rumours, thereby to feed the Fears and Jealousies of the People*.

It is affirmed, *his Majesty is driven (but not by us yet) from us*. Perchance hereafter, if there be Opportunity of gaining more Credit, they will not be wanting who will suggest unto his Majesty, *That it is done by us*. And if his Majesty were driven from us, we hope it was not by his own Fears, but by the Fears of the Lord Digby and his Retinue of Cavaliers: And those not Fears of any tumultuary Violence, but of their just Punishment.

' nishment for their manifold Insolence, and intended An. 18. Car. I.
 ' Violence, against the Parliament: And this is ex- 1642.
 ' pressly declared by the Lord *Digby* himself, when he
 ' told those Cavaliers, *That the principal Cause of his*
 ' *Majesty's going out of Town was to save them from be-*
 ' *ing trampled in the Dirt:* But of his Majesty's Per-
 ' son there was no Cause of Fear, in the greatest Heat
 ' of the People's Indignation after the Accusation;
 ' and at his Majesty's violent Coming to the House,
 ' there was no Shew of any evil Intention against
 ' his Royal Person; of which there can be no bet-
 ' ter Evidence then this, That he came next Day
 ' without a Guard into the City, where he heard
 ' nothing but Prayers and Petitions; no Threat-
 ' nings or irreverent Speeches that might give him
 ' any just Occasion of Fear, that we have heard
 ' of, or that his Majesty exprest; for he stayed
 ' near a Week after at *White hall*, in a secure
 ' and peaceable Condition; whereby we are in-
 ' duced to believe, that there is no Difficulty nor
 ' Doubt at all, but his Majesty's Residence near
 ' *London* may be as safe as in any Part of the King-
 ' dom. We are most assured of the Faithfulness of
 ' the City and Suburbs; and, for ourselves, we
 ' shall quicken the Vigour of the Laws, the Industry
 ' of the Magistrate, and the Authority of Parliament,
 ' for the suppressing of all tumultuary Insolencies
 ' whatsoever; and for the vindicating of his Ho-
 ' nour from all insupportable and intolent Scandals,
 ' if any such shall be found to be raised upon him, as
 ' are mentioned in this *Answer*: And we therefore
 ' think it altogether unnecessary, and exceeding in-
 ' convenient, to adjourn the Parliament to any
 ' other Place.
 ' Where the Desire of a good Understanding be-
 ' twixt the King and the Parliament is, on both
 ' Parts, so earnest, as is here profess'd of his Ma-
 ' jesty to be in him, and we have sufficiently testi-
 ' fied to be in ourselves, it seems strange we should
 ' be so long asunder: It can be nothing but evil and
 ' malicious Counsel, misrepresenting our Carriage
 ' to

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to him in disposing his Favours to us: And as it shall be far from us to take any Advantage of his Majesty's supposed Straits, as to desire, much less to compel, him to that which is Honour or Interest may render unpleasant and grievous to him; so we hope that his Majesty will not make his own Understanding or Reason the Rule of his Government; but will suffer himself to be assisted with a wise and prudent Counsel, that may deal faithfully betwixt him and his People: And that he will remember that his Resolutions do concern Kingdoms; and therefore ought not to be moulded by his own, much less by any other private Person, which is not alike proportionable to so great a Trust. And therefore we still desire and hope that his Majesty will not be guided by his own Understanding, or think those Courses Straits and Necessities, to which he shall be advised by the Wisdom of both Houses of Parliament which are the Eyes in this Body Politic, whereby his Majesty is, by the Constitution of this Kingdom, to discern the Differences of those Things which concern the Public Peace and Safety thereof.

We have given his Majesty no Cause to say, *That we do meanly value the Discharge of his Public Duty.* Whatsoever Acts of Grace or Justice have been done, they proceeded from his Majesty by the Advice and Counsel of his Parliament; yet we have and shall always answer them with constant Gratitude, Obedience, and Affection: And although many Things have been done, since this Parliament, of another Nature, yet we shall not cease to desire the continued Protection of Almighty God upon his Majesty; and most humbly petition him to cast from him all those evil and contrary Counsels, which have, in many Particulars formerly mentioned, much detracted from the Honour of his Government, the Happiness of his own Estate, and Prosperity of his People.

And

‘ And having past so many Dangers from abroad, An. 18. Car. 1.
 ‘ so many Conspiracies at home, and brought on the 1642.
 ‘ Public Work so far, through the greatest Difficul-
 ‘ ties that ever stood in Opposition to a Parliament,
 ‘ to such a Degree of Success, that nothing seems
 ‘ to be left in our Way able to hinder the full Ac-
 ‘ complishment of our Desires and Endeavours for
 ‘ the Public Good; unless God in his Justice, do
 ‘ send such a grievous Curse upon us, so as to turn
 ‘ the Strength of the Kingdom against itself, and to
 ‘ effect that by their own Folly and Credulity, which
 ‘ the Power and Subtilty of their and our Enemies
 ‘ could not attain; that is, to divide the People
 ‘ from the Parliament, and to make them serviceable
 ‘ to the Ends and Aims of those who would de-
 ‘ stroy them: Therefore we desire the Kingdom
 ‘ to take notice of this last most desperate and mis-
 ‘ chievous Plot of the Malignant Party, that is
 ‘ acted and prosecuted in many Parts of the King-
 ‘ dom, under the plausible Notions of stirring them
 ‘ up to a Care of preserving the King’s Prerogative,
 ‘ maintaining the Discipline of the Church, up-
 ‘ holding and continuing the Reverence and Solemn-
 ‘ nity of God’s Service, and encouraging of Learn-
 ‘ ing. Upon these Grounds, divers *mutinous Peti-*
 ‘ *tions* have been framed in *London, Kent*, and o-
 ‘ ther Counties; sundry of his Majesty’s Subjects
 ‘ have been solicited to declare themselves for the
 ‘ King, against the Parliament; and many false
 ‘ and foul Aspersions have been cast upon our Pro-
 ‘ ceedings, as if we had been not only negligent, but
 ‘ averse in these Points; whereas we desire nothing
 ‘ more, than to maintain the Purity and Power of
 ‘ Religion, and to honour the King in all his just Pre-
 ‘ rogatives. And for Encouragement and Advance-
 ‘ ment of Piety and Learning, we have very earnest-
 ‘ ly endeavoured, and still do, to the utmost of our
 ‘ Power, that all Parishes may have learned, pious,
 ‘ and sufficient Preachers, and all such Preachers
 ‘ competent Livings.

‘ Many other Bills and Propositions are in Prepa-
 ‘ ration for the King’s Profit and Honour, and the
 ‘ People’s

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People's Safety and Prosperity ; in the Proceedings whereof we are much hindered by his Majesty's Absence from the Parliament, which is altogether contrary to the Use of his Predecessors, and the Privileges of Parliament ; whereby our Time is consumed by a Multitude of unnecessary *Messages*, and our Innocency wounded by causeless and sharp Invectives : Yet we doubt not but we shall overcome all this at last, if the People suffer not themselves to be deluded with false and specious Shews ; and so drawn to betray us, to their own Undoing, who have ever been willing to hazard the Undoing of ourselves, that they might not be betrayed by our Neglect of the Trust reposed in us ; but, if it were possible, they should prevail herein, yet we would not fail, through God's Grace, still to persist in our Duties, and to look beyond our own Lives, Estates, and Advantages ; as those who think nothing worth the enjoying without the Liberty, Peace, and Safety of the Kingdom ; nor any Thing too good to be hazarded, in Discharge of our Consciences, for the obtaining of it ; and shall always repose ourselves upon the Protection of Almighty God, which we are confident shall never be wanting to us, while we seek his Glory ; as we have found it, hitherto, wonderfully going along with us in all our Proceedings.

To support the Allegations set forth in the foregoing *Declaration*, there were added a great Number of *Examinations*, *Letters*, *Warrants*, and *Depositions*, selected out of such as had been laid before both Houses, and digested into Order by Committees appointed for that Purpose. — But, as most of these have already been taken Notice of, in their proper Series, we pass them over with a Reference. (k)

May

(k) All the *Instruments* are printed, at large, in *Husband's Collections*, from Page 215 to 239.

May 23. Another Letter from the Lord Howard, An. 18. Car. I. at York, directed to the Lord Keeper, dated the 21st of May, was read to the Lords in hæc Verba (1):

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My Lord,

BY my last I sent your Lordship a Copy of a War-rant, from his Majesty to the Head Constable, for summoning the Regiment, late Sir Robert Strickland's, which being met together, their Officers have drawn them hither to this City, and billeted them here; where, by Course, divers were called to attend at the Court, as a Guard to his Majesty's Person. We do not hear that there is any Colonel, or Lieutenant-Colonel: But one Captain Duncomb, who is Serjeant-Major, and one who was sent for as a Delinquent touching the Petition for staying the Magazine, is the active Man who both raised them, and commands in Chief.

A fourth Letter to the Parliament from their Committee at York.

At their first Coming to Town, we attended his Majesty, but we could not prevail for the Disbanding of them. We have delivered your Ordinance to the Sheriff, and required him to do his Duty. His Answer was, He would do it to the utmost of his Power; but that these being now without his County, he would not meddle with them; but he would take Advice what was fit for him to do. Shortly after he returned to us, and said, The King had sent for him, and inquired if he had not some Commands from the Parliament; he then shewed him the Ordinance, and, after his Majesty had read it, he required him, on his Allegiance, not to obey any of those Commands: But how the Sheriff will demean himself for the future, for the preventing the raising of any more of these Train'd Bands, we do not know.

This Day the Horse were mustered, who were summoned to be here Yesterday; and not only those who came on their voluntary Offers, but divers appeared upon Summons by the printed Paper, the Copy of which I

sent

(1) None of the Letters from this Committee, (except the second, in Volume X. p. 518.) are in the Collections or Pamphlets of the Times, or the Commons Journals; and we give them from those of the Lords.

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sent in my last Letter; the whole Number, as we are informed, were under two hundred. It is told us, His Majesty will keep about fifty here for his Guard, and that the rest should be ready to attend upon Summons, but are dismissed for the present.

On Friday next the Freeholders, Copyholders, and all other able Farmers, are summoned to be here; but upon what Occasion, or what the Event will be, we cannot tell. If nothing happen before that Time, which may occasion us to write, I shall then, at the furthest, give your Lordship an Account of that Business; and, in the mean while, I rest,

My Lord,

Your Lordship's humble
and faithful Servant,

York, May 21,
1642.

E. D. H O W A R D.

P. S. The Sheriff came to us this Day and delivered the annexed Paper, as an Answer to those Commands enjoined by the Ordinance.

' Since the receiving of your Order, I cannot find there are any in this County, who are assembled together in a Posture of War, or Disturbers of the Public Peace. When any such shall appear, I will be most ready to discharge the Duty of a faithful Subject, according as I am obliged by my Oath and the Law of the Land.

RICHARD HUTTON.

The next Thing we find memorable in this Day's Transaction, is an Order of the Lords to discharge the Guards, which had attended both Houses for a long Time, untill they should receive further Commands; and that the House of Commons should be acquainted therewith.

The Lord Keeper deserts the Parliament, and joins the King.

In the Afternoon of this Day the Lords were informed, That the Lord Keeper, having Leave of the House to be a few Days absent for his Health, was gone to York, and had parted with the Great Seal two Days before. Hereupon it was ordered, That the Gentleman-Usher attending that House,

or,

or his Deputy, should forthwith take into Custody the Right Honourable *Edward Lord Littleton*, and bring him before the Lords in Parliament; and, together with him, the Great Seal, if it be in his Custody.

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Ordered also, That all Sheriffs, Mayors, Constables, and other his Majesty's Officers, shall be aiding to the Gentleman-Usher, or his Deputies.

Some further Account of this remarkable Affair may be here very proper; because the King's getting Possession of the Great Seal was thought, by all Parties, a most considerable Advantage. The Lord Keeper *Littleton*, by having declared his Opinion in favour of the *Ordinance* for the *Militia*; by refusing to demand of the Earls of *Essex* and *Holland* the Resignation of their Offices of Chamberlain of the Household and Groom of the Stole, as before-mentioned; (m) and by complying with the prevailing Party in Opposition to the King, had highly disgusted his Majesty; insomuch that his Leaving the Parliament was by them absolutely unexpected.

Lord *Glarendon* has given us a very particular Narrative of the Manner, by which this Affair was conducted; and which is the more to be regarded, because he was the very Person intrusted by the King to bring it about. The Whole is too long for our Purpose, we shall therefore content ourselves with some of the most remarkable Circumstances, and refer to his Lordship's History for the rest. (n)

* At an Interview of the Lord Keeper and Mr. *Hyde*, (between whom there had been frequent Visits) the latter, with great Freedom and Plainness, told his Lordship, 'How much he had lost the Esteem of all good Men, and that the King could not but be exceedingly dissatisfied with him;' and discoursed over the Matter of his Vote upon the *Ordinance* for the *Militia*. As soon as Mr. *Hyde* had entered upon this Discourse, which he heard with

(m) In our Tenth Volume, p. 214, and p. 429.

(n) *Hist. of the Rebellion*, Vol. III. Octavo Ed. p. 568.

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with all Attention, they being by themselves in his Study at *Exeter-House*, he rose from his Chair and went to the Door; and finding some Persons in the next Room, he bad them to withdraw; and, locking both the Door of that Room and of his Study, he sat down himself, and making Mr. *Hyde* sit down too, he begun 'With giving him many Thanks for his Friendship to him, which, he said, he had ever esteemed; and he could not more manifest the Esteem he had of it and him, than by using that Freedom again with him which he meant to do. Then he lamented his own Condition; and that he had been preferred from the *Common Pleas*, where he knew both the Business and the Persons he had to deal with, to the other high Office he now held; which obliged him to converse and transact with another Sort of Men, who were not known to him, and in Affairs which he understood not, and had not one Friend among them with whom he could confer upon any Doubt which occurred to him.'

'He spoke then of the unhappy State and Condition of the King's Business; how much he had been, and was still, betrayed by Persons who were about him; and with all possible Indignation against the Proceedings of the Parliament; and said, 'They would never do this, if they were not resolved to do more: That he knew the King too well, and observed the Carriage of particular Men too much, and the whole Current of public Transactions these last five or six Months, not to foresee that it could not be long before there would be a War between the King and the two Houses; and of the Importance, in that Season, that the Great Seal should be with the King.' Then he fell into many Expressions of his Duty and Affection to the King's Person, as well as to his high Degree; and, 'That no Man should be more ready to perish with, and for, his Majesty, than he would be: That the Prospect he had of this Necessity had made him carry himself towards that Party with so much Compliance, that he might be gracious with them, at least

least that they might have no Distrust of him, which he knew many had endeavoured to infuse into them; and that there had been a Consultation, within few Days, whether, in regard that he might be sent for by the King, or that the Seal might be taken from him, it would not be best to appoint the Seal to be kept in some such secure Place, as that there might be no Danger of losing it; and that the Keeper should always receive it for the Execution of his Office, they having no Purpose to disoblige him. And the Knowledge he had of this Consultation, and Fear he had of the Execution of it, had been the Reason why, in the late Debate upon the *Militia*, he had given his Vote in such a Manner as he knew would make very ill Impressions with the King, and many others who did not know him very well; but that, if he had not in that Point submitted to their Opinion, the Seal had been taken from him that Night; whereas, by his Compliance in that *Vote*, which could only prejudice himself, and not the King, he had gotten so much into their Confidence, that he should be able to preserve the Seal in his own Hands till the King required it, and then he would be as ready to attend his Majesty with it.

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Mr. *Hyde* was very well pleased with this Discourse, and asked him, 'Whether he would give him Leave, when there should be a fit Occasion, to assure the King, that he would perform this Service when the King should require it?' He desired 'That he would do so, and pass his Word for the Performance of it, as soon as his Majesty pleased;' and so they parted.—The King, being informed of what had passed at this Interview, was at first very unwilling to rely upon the Lord Keeper's Promises, but being at length satisfied of his good Intentions towards him, resolved, 'That he would such a Day of the Week following, send for the Keeper and the Seal;' and that it should be, as had been advised, upon a *Saturday* Afternoon, as soon as the House of Lords should rise, because

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then no Notice could be taken of it till *Monday*. Mr. *Hyde*, who had continued to see the Keeper frequently, and was confirmed in his Confidence of his Integrity, went now to him; and finding him firm to his Resolution, and of Opinion, in regard of the high Proceedings of the Houses, that it should not be long deferred; he told him, 'That he might expect a Messenger the next Week, and that he should once more see him, when he would tell him the Day; and that he would then go himself away before him to *York*.'

'Accordingly on the *Saturday* following, between Two and Three of the Clock in the Afternoon, Mr. *Elliot*, a Groom of the Bedchamber to the Prince, came to the Keeper, and found him alone in the Room where he used to sit; and delivered him a Letter from the King, in his own Hand, wherein he required him, with many Expressions of Kindness and Esteem, 'to make Haste to him; and if his Indisposition (for he was often troubled with Gravel and Sharpness of Urine) 'would not suffer him to make such Haste upon the Journey as the Occasion required, that he should deliver the Seal to the Person who gave him the Letter; who, being a strong young Man, would make such Haste as was necessary; and that he might make his own Journey by those Degrees which his Health required.' The Keeper was surprized with the Messenger, whom he did not like; and more when he found that he knew the Contents of the Letter, which he hoped would not have been communicated to any Man who should be sent. He answered him with much Reservation; and when the other, with Bluntness, (as he was no polite Man) demanded the Seal of him, which he had not thought of putting out of his own Hands, he answered him, 'That he would not deliver it into any Hands but the King's;' but presently recollecting himself, and looking over his Letter again, he quickly considered, that it would be hazardous to carry the Seal himself such a Journey; and that if by any Pursuit of him, which he could not but suspect

suspect, he should be seized upon, the King would be very unhappily disappointed of the Seal, which he had Reason so much to depend upon; and that his Misfortune would be wholly imputed to his own Fault and Infidelity; (which, without Doubt, he abhorred with his Heart) and the only Way to prevent that Mischief, or to appear innocent under it, was to deliver the Seal to the Person trusted by the King himself to receive it; and so, without telling him any thing of his own Purpose, he delivered the Seal into his Hands; who forthwith put himself on his Horse, and, with wonderful Expedition, presented the Great Seal into his Majesty's own Hands, who was infinitely pleased both with it and the Messenger. (o)

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'The Keeper, that Evening, pretended to be indisposed, and that he would take his Rest early, and, therefore ordered, that Nobody should be admitted to speak with him; he then called Serjeant Lee to him, who was the Serjeant that waited upon the Seal, and in whom he had great Confidence, and told him freely, 'That he was resolved, the next Morning, to go to the King, who had sent for him; that he knew well how much Malice he should contract by it from the Parliament, which would use all the Means they could to apprehend him; and he himself knew not how he should perform the Journey, therefore he put himself intirely into his Hands; that he should cause his Horses to be ready against the next Morning, and only his own

D 2

'Groom

(o) Mr. Rushworth adds this remarkable Circumstance relating to the carrying off the Great Seal:— 'In Mr. Elliot's Passage towards York, the Author of the Collections met him at Witbam, a Post Stage between Grantbam and Stamford, who, with a Fall off his Horse, had hurt his Shoulder; and seeing the Author, his old Acquaintance, demanded, *What News?* (thinking he had been sent after him by the Parliament to recover the Great Seal) To which he replied to Mr. Elliot, (not imagining he had then with him the Great Seal) *That he came from York; that the King was well; and that he was going with Letters from the Committee of Parliament at York, to both Houses, wherein some Answers from the King were inclosed to the Parliament.* To which Mr. Elliot replied, *It was fit the Author should make Haste; and therefore, said he, take my Horses which are ready saddled, fearing lest the Author should raise the Country against him; so we parted at that Time.*—

Rush. Vol. IV. p. 718.

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Groom to attend them; and he to guide the best Way; and that he would not impart it to any other Person.' The honest Serjeant was very glad of the Resolution, and chearfully undertook all Things for the Journey; and so sending the Horses out of Town, the Keeper put himself in his Coach very early the next Morning; and as soon as they were out of the Town, he and the Serjeant, and one Groom, took their Horses, and made so great a Journey that Day, it being about the Beginning of June, (p) that, before the End of the third Day, he kiss'd the King's Hand at York.

'He had purposely procured the House of Peers to be adjourned to a later Hour, in the Morning for *Monday*, than it used to be. *Sunday* passed without any Man's taking Notice of the Keeper's being absent; and many, who knew he was not at his House, thought he had been gone to *Cranford*, to his Country House, whither he frequently went on *Saturday* Nights, and was early enough at the Parliament on *Monday* Mornings; and so the Lords the more willingly consented to the later Adjournments for those Days.'

The Lords appoint a Committee to consider of an Accommodation with the King.

The Lord-Keeper's unexpected Conduct occasioned, as Lord *Clarendon* adds, 'so great a Dejection in the House of Lords, that, upon the News thereof, the Earl of *Northumberland*, who had been of another Temper, moved, That a Committee might be appointed, to consider how there might be an Accommodation between the King and his People, for the Good, Happiness and Safety of both King and Kingdom.' A Committee was appointed accordingly; and, upon that Occasion, the Earl of *Bristol* made the following Speech: (q)

My Lords,

The Earl of Bristol's Speech thereupon.

I Have spoken so often upon the Subject of Accommodation, with so little Acceptance, and with so ill Success, that it was in my Intention not to

(p) By the *Lords Journals* it must have been the 22d of May.

(q) From the original Edition, printed by I. Smith and A. Coe.

to have made any further Essay in this Kind; but my Zeal to the Peace and Happiness of this Kingdom, and my Apprehensions of the near Approach of unspeakable Miseries and Calamities, suffer me not to be Master of mine own Resolution.

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‘Certainly this Kingdom hath, at all Times, many Advantages over the other Monarchies of *Europe*; as, of Situation, of Plenty, of rich Commodities; of Power both by Sea and Land: But more particularly at this Time, when all our neighbouring States are, by their several Interests, so involved in War, and with such Equality of Power that there is not much Likelihood of their mastering one another, nor of having their Differences easily compounded; and thereby, we alone being admitted to trade to all Places, Wealth and Plenty, which ever follow where Trade flourisheth, are in a Manner cast upon us.

‘I shall not trouble your Lordships by putting you in mind of the great and noble Undertakings of our Ancestors; nor shall I pass higher than the Times within mine own Remembrance.

‘Queen *Elizabeth* was a Princess disadvantaged by her Sex, by her Age, and chiefly by her Want of Issue; yet if we shall consider the great Effects wrought upon most of the States of *Christendom* by this Nation, under her prudent Government (the Growth of the Monarchy of *Spain* chiefly by her impeached; the United Provinces by her protected; the *French* in their greatest Miseries relieved; most of the Princes of *Germany* kept in high Respect and Reverence towards her and this Kingdom; and the Peace and Tranquility wherein this Kingdom flourished, and which hath been continued down unto us by the peaceable Government of King *James*, of blessed Memory, and of his now Majesty, untill these late unhappy Interruptions) we cannot but judge this Nation equally capable, with any other, of Honour, Happiness, and Plenty.

‘Now if, instead of this happy Condition, in which we have been, and might be, upon a sober and impartial Inquiry we shall find ourselves to

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have been, for some few Years last past, involved in so many Troubles and Distractions, and at the present to be reduced to the very Brink of Miseries and Calamities; it is high Time for us to consider by what Means we have been brought into them, and by what Means it is most probable we may be brought out of them.

‘ This Kingdom never enjoyed so universal a Peace, neither hath it any visible Enemy in the whole World, either Infidel or Christian; our Enemies are only of our own House, such as our own Dissentions, Jealousies, and Distractions have raised up: And certainly where they are found, especially betwixt a King and his People, no other Cause of the Unhappiness and Misery of a State need to be sought after; for Civil Discord is a plentiful Source, from whence all Miseries and Mischiefs flow.

‘ The Scripture telleth us of the Strength of a little City united, and of the Instability of a Kingdom divided within itself: So that, upon a prudent Enquiry, we may assign our own Jealousies and Discords for the chief Cause of our past and present Troubles, and of our future Fears.

‘ It must be confess’d, that, by the Counsel and Conduct of evil Ministers, the Subjects had Cause to think their just Liberties invaded; and from thence have our former Distempers grown: For it is in the Body Politic of a Monarchy, as in the Natural Body, the Health whereof is defined to be, *Partium Corporis æqua Temperies*, an equal Temper of the Parts: So likewise a State is well in Health and well disposed, when Sovereign Power and common Right are equally ballanced, and kept in even Temper, by just and equitable Rules.

‘ And truly, my Lords, by the Goodness of his Majesty, and by the prudent Endeavour of the Parliament, this State is almost reduced to that equal and even Temper; and our Sickness is rather continued out of Fancy and Conceit, (I mean Fears and Jealousies) than out of any real Distempers.

‘ I well remember, that, before the Beginning of this Parliament, some Noble Lords presented a Petition

tion unto the King; and in that Petition did set down all or most of the Grievances and Distempers of the Kingdom which then occurred to them. To these, as I conceive, the Parliament have procured, from his Majesty, such Redresses as are to their good Satisfaction. (r)

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‘ Many other Things for the Ease, Security, and Comfort of the Subject, have been, by their great Industry, found and propounded; and, by his Majesty’s Goodness, condescended unto. And now we are come so near the Happiness of being the most free and most settled Nation in the Christian World, our Dangers and Miseries will grow, every Day, greater and nearer, if not speedily prevented.

‘ The King, on his Part, offereth to concur with us in the settling all the Liberties and Immunities, either for the Property of our Goods or Liberty of our Persons, which we have received from our Ancestors, or which himself hath granted unto us; and as to what shall yet remain for the Good and Comfort of his Subjects, he is willing to hearken to all our just and reasonable Propositions; and for the establishing the true *Protestant* Religion, he woos us to it; and the Wisdom and Industry of the Parliament hath now put it in a hopeful Way.

‘ The Rule of his Government, he professeth, shall be the Laws of the Kingdom; and, for the comforting and securing of us, he offereth a much more large and more general Pardon than hath been granted by any of his Predecessors. And truly, my Lords, this is all that ever was, or can be, pretended unto by us.

‘ We, on the other Side, make Profession, That we intend to make his Majesty a glorious King; to endeavour to support his Dignity; and to pay unto him that Duty and Obedience, which, by our Allegiance, several Oaths, and late *Protestation*, we owe unto him, and to maintain all his just Regalities

(r) Alluding to the *Petition* (in our Eighth Volume, p. 491.) presented by the Earls of *Bedford*, *Essex*, &c. for summoning of a Parliament.

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‘So that, my Lords, we being both, thus reciprocally, agreed of that which in general would make both King and People happy, shall be most unfortunate, if we shall not bring both Inclinations and Endeavours so to propound and settle Particulars; as both King and People may know what will give them mutual Satisfaction; which certainly must be the first Step towards the settling of a right Understanding betwixt them. And in this I should not conceive any great Difficulty, if it were once put into a Way of Preparation. But the greatest Difficulty may seem to be, How that which may be settled and agreed upon may be secured? This is commonly the last Point in Treaties betwixt Princes, and of the greatest Niceness; but much more betwixt a King and his Subjects; where that Confidence and Belief which should be betwixt them is once lost: And, to speak clearly, I fear that this may be our Case, and herein may consist the chiefest Difficulty of Accommodation; for it is much easier to compose Differences arising from Reason, yea, even from Wrongs, than it is to satisfy Jealousies; which, arising out of Diffidence and Distrust, grow and are varied upon every Occasion.

‘But, my Lords, if there be no Endeavours to allay and remove them, they will every Day increase and gather Strength; nay, they are already grown to that Height, and the mutual Replies to those direct Terms of Opposition, that if we make not a present Stop, it is to be feared it will speedily pass further than verbal Contestations.

‘I observe, in some of his Majesty’s Answers, a *Civil War* spoken of: I confess it is a Word of Horror to me, who have been an Eye-Witness of those inexpressible Calamities that, in a short Time, the most plentiful and flourishing Countries of *Europe* have been brought into by an intestine War.

‘I further observe, ‘That his Majesty protesteth against the Miseries that may ensue by a War, and that he is clear of them.’ It is true that a Protestation

tion of that Kind is no actual Denouncing of War, An. 18. Car. I.
 but it is the very next Degree to it; *ultima Admoni-*
tio, as the Civilians term it, the last Admonition; 1642.
 So that we are upon the very Brink of our Mis-
 eries. It is better keeping out of them than getting
 out of them; and, in a State, the Wisdom of Pre-
 vention is infinitely beyond the Wisdom of Remedies.
 If, for the Sins of this Nation, these Misunderstand-
 ings should produce the least Act of Hostility, it is
 not almost to be believed how impossible it were to
 put any Stay to our Miseries: For a Civil War ad-
 mits of none of those Conditions of Quarter, by
 which Cruelty and Blood are, amongst other Ene-
 mies, kept from Extremities: Nay, if it should but
 so happen, which God of his Goodness avert, that,
 mutually, Forces and Armies should be raised, Jeal-
 ousies and Fears would be so much increased thereby,
 that any Accommodation would be rendered full of
 Difficulty and Length; and the very Charge of
 maintaining them (whilst first a Cessation of Arms,
 and then a general Accommodation were in treating)
 would consume the Wealth of the Kingdom.

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‘And of this we had lately a costly Example: For
 in those unhappy Times, betwixt us and *Scotland*,
 after there was a Stop made to any further Acts of
 Hostility, and a Desire of Peace expressed on both
 Sides; Commissioners nominated, and all the Ar-
 ticles propounded; yet the keeping of the Armies
 together for our several Securities, whilst the Cessa-
 tion at *Rippon* and the Peace at *London* were in
 treating, cost this Kingdom not much less than a
 Million of Pounds. And if two Armies be once on
 Foot here in *England*, either a sudden Encounter
 must destroy one of them, or the keeping of them
 both on foot must destroy the Kingdom.

‘I hope, therefore, we shall make it our Endeav-
 our, by Moderation and Calmness, yet to put a Stay
 to our so near approaching Miseries; and that we
 shall hearken to the wise Advice of our Brethren of
Scotland, in their late *Answer* to the King and Parlia-
 ment; (1) wherein they earnestly intreat us, ‘That
 all

(1) In our Tenth Volume, p. 504.

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‘all Means may be forborne which may make the Breach wider, and the Wound deeper; and that no Place be given to the evil Spirit of Division, which at such Times worketh incessantly, and resteth not; but that the fairest, the most Christian, and commendous Way may be taken by so wise a King and Parliament, as may, against all Malice and Opposition, make his Majesty and Posterity more glorious, and his Kingdoms more happy than ever.’ And, in another Place, they say, ‘That since this Parliament hath thought meet to draw the Practice of the Parliament of *Scotland* into Example, in the Point of their Declaration, they are confident that the Affection of this Parliament will lead them, also, to the Practice of that Kingdom in composing the unhappy Differences betwixt his Majesty and them; and (so far as may consist with their Religion, Liberties, and Laws) in giving his Majesty all Satisfaction, especially in their tender Care of his Royal Person, of his Princely Greatness and Authority, and the Prosperity of the Kingdom.’

‘Certainly, my Lords, this is wise and brotherly Advice, and I doubt not but we are all desirous to follow it. We must not then still dwell upon Generals, for Generals produce nothing; but we must put this Business into a certain Way; whereby Particulars may be descended unto; and the Way that I shall offer, with all Humility, is, That there may be a select Committee of choice Persons of both Houses, who may, in the *first* Place, truly state and set down all Things in Difference betwixt the King and the Subject, with the most probable Ways of reconciling them. *Secondly*, To descend unto the Particulars which may be expected by each from other, either in point of our supporting of him, or his relieving of us. And, *lastly*, How all these Conditions, being agreed upon, may be so secured as may stand with the Honour of his Majesty and the Satisfaction of the Subject.

‘When such a Committee shall have drawn up the Heads of the Propositions, and the Way of securing them, they may be presented unto the Houses; and

and so offered unto his Majesty, by such a Way as An. 18. Car. I.
the Parliament shall judge most probable to produce
an Accommodation. 1642.

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‘My Lords, what I have yet said unto you, hath been chiefly grounded upon the Apprehensions and Fears of our future Dangers. I shall say something of the Unhappiness of our present State, which certainly standeth in as much Need of Relief and Remedy, as our Fears do of Prevention; for altho’ the King and People were fully united, and that all Men who now draw several Ways, should unanimously set their Hand to the Work, yet they would find it no easy Task to restore this Kingdom to a prosperous and comfortable Condition: If we take into our Consideration the deplorable State of *Ireland*; likely to drain this Kingdom of Men and Treasure; if we consider the Debts and Necessity of the Crown, the Engagements of the Kingdom, and the great and unusual Contributions of the People; which last, altho’ they may not be so much to their Discontent, for that they have been legally raised, yet the Burden hath not been much eased. Let us likewise consider the Distractions (I may almost call them Confusions) in point of Religion; which, of all other Distempers, are the most dangerous and destructive to the Peace of a State.

‘Besides these public Calamities, let every particular Man consider the distracted and uncomfortable State of his own Condition; for mine own Part, I must ingenuously profess unto your Lordships, That I cannot find out, under the different Commands of the King and the Parliament, any such Course of Caution and Wariness, by which I can promise to myself Security or Safety. I could give your Lordships many Instances of the Inconsistency and Impossibility of obeying these Commands; but I shall trouble you only with one or two.

‘The *Ordinance* of Parliament, now in so great Agitation, commandeth all Persons in Authority to put it in Execution, and all others to obey it according to the Fundamental Laws of the Land: The King declareth it to be contrary to the Fundamental

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mental Laws, against the Liberty of the Subject and Rights of Parliament; and commandeth all his Subjects, of what Degree soever, upon their Allegiance, not to obey the said *Ordinance*, as they will answer the contrary at their Perils.

‘So likewise, in point of the King’s commanding the Attendance of divers of us upon his Person, whereunto we are obliged by several Relations of our Services and Oaths: In case we comply not with his Commands, we are liable to his Displeasure, and the Loss of those Places of Honour and Trust which we hold under him: If we obey his Commands without the Leave of the Parliament, which hath not been always granted, we are liable to the Censure of Parliament: And of both these we want not fresh Examples; so that, certainly, this cannot but be acknowledged to be an unhappy and uncomfortable Condition.

‘I am sure I bring with me a ready and obedient Heart, to pay unto the King all those Duties of Loyalty, Allegiance, and Obedience which I owe unto him: And I shall never be wanting towards the Parliament, to pay unto it all those due Rights and that Obedience which we all owe unto it; but, in contrary Commands, a Conformity of Obedience to both is hardly to be lighted on. The Reconciliation must be in the Commanders and the Commands, and not in the Obedience or the Person that is to obey: And therefore, untill it shall please God to bless us with a right Understanding betwixt the King and Parliament, and a Conformity in their Commands, neither the Kingdom in public, nor particular Men in private, can be reduced to a safe or comfortable Condition.

‘I have said thus much to give Occasion to others to offer likewise their Opinions; for if we shall sit still, and nothing tending to the Stay of the unhappy Misunderstanding betwixt the King and his People, be propounded, it is to be feared that our Miseries will hasten so fast upon us, that the Season and Opportunity of applying Remedies may be past.

‘ I have herein discharged my Conscience suitable to that Duty which I owe to the King my Sovereign and Master, and suitable to that Zeal and Affection which I shall ever pay to the Happiness and Prosperity of the Kingdom; towards which I shall ever faithfully contribute my humble Prayers and honest Endeavours; and I shall no way doubt, whatsoever Success this my Proposition may have, it will be accompanied with the good Wishes of your Lordships, and of all peaceable and well-minded Men.’

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But we find no Report, entered in the *Lords Journals*, from the before-mentioned Committee, notwithstanding this most excellent Speech for an Accommodation: Which may easily be accounted for, since Matters were now too far advanced to hope for any between the King and Parliament: It being evident that both Sides, whilst they entertained each other with *Messages* for Peace, which always abounded with Reflections that whetted their Appetite for War, provided for that Storm which they foresaw could not be prevented. Accordingly,

May 24. The Commons sent up an *Ordinance*, to which they desired the Lords Concurrence, for giving Power to their Committee at *York* to command the Lord Mayor and Sheriffs of that City and all Sorts of Head Constables and Petty Constables under them, to take all *Orders, Votes, and Declarations* of Parliament from the Committee, and see them circulated thro’ their several Districts. Likewise, That the said Lord Mayor, &c. should publish in all Market Towns, That the Train’d Bands ought not to rise, or be called together, by any personal Command of the King; but that, as Affairs then stood, such Commands were against Law, tending to the great Disturbance and Danger of the Kingdom. Declaring an Amnesty to such as should not obey, and Punishment to those that did, &c. Which *Ordinance* was agreed to by the Lords.

Order of both Houses for dispersing their Votes, &c.

And against the King’s raising the Train’d Bands.

At

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An. 18. Car. I. At the same Time Sir *William Strickland*, Mr. *Alured*, Mr. *Wharton*, Sir *William Airmyn*, Mr. *John Hotham*, Mr. *Henry Darley*, and Mr. *Peregrine Pelham*, all Members of the House of Com-

mons, were appointed Commissioners to go down to *Hull*; to be Assistants to the Governor thereof, upon such Orders and Directions as they should receive from both Houses. And Sir *Edward Ayscough*, Sir *John Wray*, Sir *William Airmyn*, Mr. *Hatcher*, and Mr. *Broxbolm*, were sent into *Lincolnshire*, to preserve the Peace of that County.

For several Days last past the Commons had been busy in raising Money, and this Day a Committee of their House was appointed, on their *Vote*, That the King, seduced by evil Counsel, did intend to levy War upon his Parliament, to consider how a Stock of Money, or any other Means, may be provided for the better Defence of his Majesty's Person, the Parliament, and the Public Peace of the Kingdom, against any such Force.—This extraordinary Diligence of the Parliament seems to have been owing to the frequent Desertions from that Body. For,

Lord *Clarendon* informs us, That the Number of Members of both Houses, that resorted to the King at *York* about this Time, increased daily; and particularly those of the Lords: That his Majesty call'd all the Peers to Council, communicating to them all such *Declarations* as he thought fit to publish in *Answer* to those of the Parliament; and all *Messages*, and whatever else was necessary to be done for the Improvement of his Condition: And, having now the Great Seal with him, issued such *Proclamations* as were seasonable for the Preservation of the Peace: And first he published the following *Answer* to the Parliament's *Declaration* of the 19th of this Month.

The King's Answer to the Parliament's Declaration of the 19th of May. **I**F we could be weary of taking any Pains for the Satisfaction of our People, and to undeceive them of those specious mischievous Insuffusions, which are daily instilled into them, to shake and corrupt their Loyalty and Affection to us and our

our Government; after so full and ample *De-* An. 18. Car. I.
claration of ourself and our Intentions, and so fair 1642.
 and satisfactory *Answers* to all such Matters as
 have been objected to us, by a major Part present
 of both Houses of Parliament, we might well
 give over this Labour of our Pen; and sit still till
 it shall please God so to enlighten the Affections
 and Understandings of our good Subjects on our
 Behalf, (which we doubt not but that, in his good
 Time he will do) that they may see our Sufferings
 are their Sufferings: But since (instead of applying
 themselves to the Method proposed by us, of *ma-*
king such solid particular Propositions as might esta-
blish a good Understanding between us, or of follow-
ing the Advice of our Council of Scotland, (with
whom they communicate their Affairs) in forbear-
ing all Means that may make the Breach wider and
Wound deeper) they have chosen to pursue us with
 new Reproaches, or rather to continue and im-
 prove the old; by adding and varying little Circum-
 stances and Language, in Matters formerly urged
 by them, and fully answered by us, we prevailed
 with ourself, upon very mature and particular Con-
 sideration of it, to answer the late *Printed Book*,
 intitled, *A Declaration, or Remonstrance, of the*
Lords and Commons, which was ordered, the 19th
 of this Instant *May*, to be printed and published,
 hoping then that they would not put us to any
 more of this Trouble; but that this would have
 been the last of such a Nature, they would have
 communicated to our People; and that they
 would not, as they have done since, thought fit to as-
 sault us with a *Newer Declaration*, (1) indeed of a
 very new Nature and Learning, which must have
 another *Answer*. And we doubt not but that our
 good Subjects, in a short Time, will be so well in-
 structed in the Differences and Mistakings between
 us, that they will plainly discern, without resign-
 ing

(1) The Parliament's Declaration of the 26th of May was printed and published before the King's Answer came out to that of the 19th: But we chuse to bring in his Majesty's Answer to their First Declaration before we meddle with their Second, as giving a closer View of the Controversy.

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ing their Reason and Understanding to our Pre-rogative, or the Infallibility of a now major Part of both Houses of Parliament infected by a few malignant Spirits, where the Fault is.

Though we shall, with Humility and Alacrity, be always forward to acknowledge the Infinite Mercy and Providence of Almighty God, vouchsafed so many several Ways to ourself and this Nation; yet since God himself doth not allow that we should fancy and create Dangers to ourself, that we might manifest and publish his Mercy in our Deliverance, we must profess we do not know those *Deliverances*, mentioned in the Beginning of that *Declaration*, *From so many wicked Plots and Designs, since the Beginning of this Parliament; which, if they had taken Effect, would have brought Ruin and Destruction upon this Kingdom.* We well know the great Labour and Skill that hath been used, to amaze and affright our good Subjects with Fears and Apprehensions of Plots and Conspiracies; the several Pamphlets published, and Letters scattered up and down, full of such ridiculous contemptible Animadversions to that Purpose; as though they found, for what End God knows, very unusual Countenance, no sober Man would be moved with them. But we must confess, we have never been able to inform ourself of any such *Pernicious formed Design against the Peace of this Kingdom, since the Beginning of this Parliament*, as is mention'd in that *Declaration*, or that might be any Warrant to those great Fears both our Houses of Parliament seemed to be transported with; but we have great Cause to believe more Mischief and Danger hath been raised and begotten to the Disturbance of this Kingdom, than cured or prevented by those Fears and Jealousies: And therefore, however the Rumour and Discourse of Plots and Conspiracies may have been necessary to the Designs of particular Men, they shall do well not to pay any false Devotions to Almighty God, who discerns whether our Dangers are real or pretended.

For

‘ For the *bringing up the Army to London*; as An. 18. Car. I.
 ‘ we have heretofore, by no other Direction than the 1642.
 ‘ Testimony of a good Conscience, called God to
 ‘ witness, *We never had, or knew of any such Reso-*
 ‘ *lution*; so, upon the View of the *Depositions* now
 ‘ published with that *Declaration*, it is not evident
 ‘ to us there was ever such a Design, unless every
 ‘ loose Discourse or Argument be Instance enough
 ‘ of such a Design; and it is apparent, that what
 ‘ was said of it, was near three Months before the
 ‘ Discovery to both Houses of Parliament; so that if
 ‘ there were any Danger threatened that way, it va-
 ‘ nished, without any Resistance or Prevention by
 ‘ the Wisdom, Power, or Authority of them.

‘ It seems the Intention of that *Declaration*,
 ‘ whatsoever other End it hath, is to *answer a De-*
 ‘ *claration* they received from us, in *Answer* to that
 ‘ which was presented to us at *New-Market* the
 ‘ ninth of *March* last, and likewise to our *Answer*
 ‘ to the *Petition* of both Houses, presented to us at
 ‘ *York* the 26th of *March* last. But before that
 ‘ *Declaration* falls upon any Particulars of our said
 ‘ *Declaration* or *Answer*, it complains, *That the*
 ‘ *Heads of the Malignant Party have, with much*
 ‘ *Art and Industry, advised us to suffer divers unjust*
 ‘ *Scandals and Imputations upon the Parliament, to*
 ‘ *be published in our Name, whereby they might make*
 ‘ *it odious to the People, and, by their Help, destroy*
 ‘ *it*: But not instancing in any one Scandal or Im-
 ‘ putation so published by us, we are still to seek
 ‘ for the Heads of that Malignant Party. But our
 ‘ good Subjects will easily understand, That if we
 ‘ were guilty of that Aspersions, we must not only
 ‘ be active in raising the Scandal, but passive in the
 ‘ Mischief begotten by that Scandal, we being an
 ‘ Essential Part of the Parliament: And we hope the
 ‘ just Defence of ourself and our Authority, and
 ‘ the necessary Vindication of our Innocence and
 ‘ Justice, from the Imputation laid on us by a ma-
 ‘ jor Part, then present of either, or both Houses,
 ‘ shall no more be called a *Scandal upon the Parlia-*
 ‘ *ment*, than the Opinion of such a Part be reputed

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an Act of Parliament. And we hope our good Subjects will not be long misled by that common Expression in all the *Declarations*, wherein they usurp the Word *Parliament*, and apply it to countenance any *Resolution* or *Vote* which some few have a mind to make, by calling it, *The Resolution of Parliament*; which can never be without our Consent: Neither can the *Vote* of either, or both Houses, make a greater Alteration in the Laws of this Kingdom, so solemnly made by the Advice of their Predecessors with the Concurrence of us and our Ancestors, either by commanding or inhibiting any thing, besides the known Rule of the Law, than our single Direction or Mandate can do, to which we do not ascribe such Authority.

But that *Declaration* informs our People, *That the Malignant Party hath drawn us into the Northern Parts far from our Parliament.* It might more truly and properly have said, *That it hath driven, than drawn, us hither.* For we confess our Journey hither, (for which we have no other Reason to be sorry, than with Reference to the Cause of it) was only forced upon us by the true Malignant Party, which contrived and countenanced those barbarous Tumults and other seditious Circumstances, of which we have so often complained, and hereafter shall say more; and which indeed threatens so much Danger to our Person, and laid so much Scandal upon the whole *Privilege* and *Dignity* of *Parliament*, that we wonder it can be mentioned without Blushes or Indignation: But of that anon. But why the Malignant Party should be charged with causing a Press to be transported to *York*, we cannot imagine; neither have any Papers or Writings issued from thence, to our Knowledge, but what have been extorted from us by such Provocations, as have not been before offered to a King. And no doubt it will appear a most trivial and fond Exception, when all Presses are open to vent whatsoever they think fit to say to the People, (a Thing unwarranted by former Custom) that we should not make Use of
all

all lawful Means to publish our just and necessary
Answers thereunto. As for the Authority of the
 Great Seal, though we do not know that it hath
 been necessary to Things of this Nature, the same
 shall be more frequently used hereafter, as Occasion
 shall require; to which we make no Doubt the
 greater and better Part of our Privy Council will
 concur, and whose Advice we are resolved to
 follow, as far as shall be agreeable to the Good and
 Welfare of the Kingdom.

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Before that *Declaration* vouchsafes to insist on
 any Particulars, it is pleased to censure both our
Declaration and *Answer*, to be filled with harsh Cen-
 sures, and causeless Charges upon the Parliament,
 (still misapplying the Word *Parliament* to the *Vote*
 of both Houses) concerning which they resolve to give
 Satisfaction to the Kingdom, since they find it very
 difficult to satisfy us. If, as in the Usage of the
 Word *Parliament*, they have left us out of their
 Thoughts; so, by the Word *Kingdom*, they in-
 tend to exclude all our People who are out of
 their Walls, (for that's grown another Phrase of
 the Times, the *Vote* of the major Part of both
 Houses, and sometimes of one, is now called,
The Resolution of the whole Kingdom) we believe
 it may not be hard to give Satisfaction to them-
 selves; otherwise we are confident (and our Con-
 fidence proceeds from the Uprightness of our own
 Conscience) they will never be able so to sever
 the Affections of us and our Kingdom, that what
 cannot be Satisfaction to the one, shall be to the
 other. Neither will the Style of *Humble* and
Faithful, and telling us, *That they will make us a*
Great and Glorious King, in their *Petitions* and *Re-*
monstrances, so deceive our good Subjects, that
 they will pass over the Reproaches, Threats, and
 Menaces they are stuffed with; which sure could
 not be more gently reprehended by us, than by
 saying, *Their Expressions were different from the*
usual Language to Princes; which that *Declaration*
 tells you, *we had no Occasion to say*. But we be-

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lieve, whoſoever looks over that *Declaration* preſented to us at *Newmarket*, to which ours was an *Answer*, will find the Language throughout it to be ſo unuſual, that, before this Parliament, it could never be parallel'd; whilſt, under Pretence of juſtifying their Fears, they give ſo much Countenance to the Diſcourſe of the Rebels of *Ireland*, as if they had a Mind our good Subjects ſhould give Credit to it: Otherwiſe, being warranted by the ſame Evidence, which they have ſince publiſhed, they would have as well declared, *That thoſe Rebels publickly threaten the rooting out the Name of the Engliſh, and that they will have a King of their own, and no longer be governed by us; as that they ſay, That they do nothing but by our Authority, and that they call themſelves, The Queen's Army.* And therefore we have great Reason to complain of the Abſence of Juſtice and Integrity in that *Declaration*, beſides the Unfitneſs of other Expreſſions.

Neither did we miſtake the Subſtance or Logic of the *Message* to us at *Theobalds*, concerning the *Militia*; which was no other, and is ſtated to be no other (even by that *Declaration* which reproved us) than a plain Threat, *That if we refuſed to join with them, they would make a Law without us:* Nor hath the Practice ſince that Time been other, which will never be juſtified to the moſt ordinary (if not partial) Underſtandings, by the meer Averring it to be *according to the Fundamental Laws of this Kingdom*, without giving any Direction, that the moſt cunning and learned Men in the Laws may be able to find thoſe Foundations. And we muſt appeal to all the World, whether they might not, with as muſt Juſtice, and by as much Law, have ſeized upon the Eſtate of every Member of both Houſes, who diſſented from that pretended *Ordinance*, (which much the major Part of the Houſe of Peers did two or three ſeveral Times) as they have invaded that Power of ours over the *Militia*, becauſe we (upon Reaſons they have

‘ have not so much as pretended to answer) refused An. 18. Car. I.
‘ to consent to that *Proposition*. 1642.

‘ And if no better Effects, than *Loss of Time and*
‘ *Hindrance of public Affairs have been found by our*
‘ *Answers and Replies*, let all good Men judge, by
‘ whose Default, and whose Want of Duty, such
‘ Effects have been: For as our End (indeed only
‘ End) in those *Answers and Replies*, hath been the
‘ Settlement and Composure of public Affairs, so
‘ we are assured, and most Men do believe, That
‘ if that due Regard and Reverence had been given
‘ to our Words, and that Consent and Obedience
‘ to our Counsels, which we did expect, there had
‘ been, before this Time, a chearful Calm upon
‘ the Face of the whole Kingdom; every Man en-
‘ joying his own, with all possible Peace and Secu-
‘ rity that can be imagined; which surely those
‘ Men do not desire, who (after all those Acts of
‘ Justice and Favour passed by us this Parliament,
‘ all those Affronts and Sufferings endured and under-
‘ gone by us) think fit still to reproach us with *Ship-*
‘ *Money, Coat and Conduet-Money*, and other Things
‘ so abundantly declared (as that *Declaration* itself
‘ confesses) in the *General Remonstrance of the*
‘ *State of the Kingdom*, passed in November last; (u)
‘ which we wonder to find now avowed to be the
‘ *Remonstrance of both Houses*; and which we as-
‘ sure was presented to us by the House of Commons
‘ only, and did never pass, and we are confident
‘ at that Time could never have passed, the House
‘ of Peers; the Concurrence and Authority of which
‘ was not then thought necessary. Shall we be-
‘ lieve those Reproaches to be the Voice of the
‘ Kingdom of *England*? That all our loving Sub-
‘ jects, eased, refreshed, strengthened, and abundant-
‘ ly satisfied with our Acts of Grace and Favour
‘ towards them, are willing to be involved in these
‘ unthankful Expressions? We must appeal to the
‘ Thanks and Acknowledgements published in the
‘ *Petitions* of most of the Counties of *England*; to

May.

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‘ the

(u) See this *Remonstrance*, with the Debate thereon, in our Tenth
Volume, p. 44, et seq.

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the Testimony and Thanks we have received
from both Houses of Parliament, how seasonable,
how agreeable, this Usage of us is to our Merit,
or their former Expressions.

We have not at all swerved or departed from
our Resolution, or Words, in the Beginning of
this Parliament. We said, *We were resolved to put*
ourselves, freely and clearly, upon the Love and Affec-
tion of our English Subjects; and we say so still,
as far as concerns *England*. And we call Al-
mighty God to witness, that all our Complaints
and Jealousies, which have never been causeless,
were not against our Houses of Parliament, but
some few schismatical, factious, and ambitious Spi-
rits; and upon Grounds, as short Time, we fear,
will justify to the World. Our Denial of the *Mi-*
litia, and our Absenting ourself from *London*, have
been the Effects of an upright and faithful Affec-
tion to our *English* Subjects, that we may be able
(through all the Inconveniences we are compelled
to wrestle with) at last to preserve and restore their
Religion, Laws, and Liberties unto them.

Since the Proceedings against the Lord *Kymbol-*
ton and the five Members is still look'd upon, and
so often pressed, as so great an Advantage against
us, that no Retraction made by us, nor no Ac-
tions since that Time committed against us and
the Law of the Land, under Pretence of Vindica-
tion of Privilege, can satisfy the Contrivers of
that *Declaration*; but that they would have our
good Subjects believe, the Accusation of those six
Members must be a Plot for the breaking the Neck
of the Parliament; (a strange Arrogance, if any
of those Members had the Penning of that *Decla-*
ration) and that it is so often urged against us, as
if, by that single casual Mistake of ours, in Form
only, we had forfeited all Duty, Credit, and Al-
legiance from our People; we must, without en-
deavouring to excuse that, (which in Truth was
an Error, our going to the House of Commons)
give our People a clear and full Narration of the
Matter of Fact; assuring ourself that our good
Sub-

Subjects will not find our Carriage in that Business
such as hath been reported.

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When we resolved upon such Grounds, as,
when they shall be published, will satisfy the
World, That it was fit for our own Safety and
Honour, and the Peace of the Kingdom, to pro-
ceed against those Persons, though we well know
there was no Degree of Privilege in that Case;
yet, to shew our Desire of Correspondence with
the two Houses of Parliament, we chose, rather
than to apprehend their Persons by the ordinary
Ministers of Justice, (which, according to the O-
pinion and Practice of former Times, we might
have done) to command our Attorney General to
acquaint our House of Peers with our Intention,
and the general Matters of our Charge, (which
was yet more particular than a meer Accusation)
and to proceed accordingly; and, at the same
Time, sent a sworn Servant, a Serjeant at Arms,
to our House of Commons, to acquaint them,
That we did accuse, and intended to prosecute,
the five Members of that House, for High Treason;
and did require that their Persons might be
secured in Custody: This we did, not only to shew
that we intended not to violate or invade their
Privileges, but to use more Ceremony towards
them, than we then conceived, in Justice, might
be required of us; and expected at least such an
Answer as might inform us, if we were out of the
Way; but we received none at all; only, in the
Instant, without offering any thing of their Pri-
vileges to our Consideration, an Order was made,
and the same Night published in Print, *That if
any Person whatsoever should offer to arrest the Per-
son of any Member of that House, without first ac-
quainting that House therewith, and receiving fur-
ther Order from that House, That it should be
lawful for such Members, or any Person to resist
them, and to stand upon his or their Guard of De-
fence, and to make Resistance, according to the Pro-
testation taken to defend the Privileges of Parlia-
ment:*

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ment: And this was the first Time that we heard
the *Protestation* might be wrested to such a Sense;
or that, in any Case, tho' of the most undoubted
and unquestionable Privilege, it might be lawful
for any Person to resist and use Violence against
a public Minister of Justice, armed with lawful
Authority; tho' we well knew, that even such
a Minister might be punished for executing such
Authority. Upon viewing this *Order* we must
confess we were somewhat amazed, having never
seen or heard of the like, though we had known
Members of either House committed without so
much Formality as we had used, and upon Crimes
of a far inferior Nature to those we had suggested;
and having no Course proposed to us for our Pro-
ceeding, we were upon the Matter only told,
That against those Persons we were not to proceed at
all; That they were above our Reach, or the Reach of
the Law, it was not then easy for us to resolve what
to do: If we employed our Ministers of Justice
in the usual Way for their Apprehension, (who,
without Doubt, would not have refused to exe-
cute our lawful Commands) we saw what Resist-
ance and Opposition was like to be made, which,
very probably, might have cost some Blood; if we
sat still and desisted upon this Terror, we should, at
the best, have confessed our own Want of Power,
and the Weakness of the Law: In this Strait we
put on a sudden Resolution, to try whether our
own Presence, and a clear Discovery of our Inte-
tions (which haply might not have been so well
understood) could remove those Doubts, and pre-
vent those Inconveniencies which seem'd to have
been threatned; and, thereupon, we resolved to go
in our own Person to our House of Commons,
which we discovered not till the very Minute of our
going, when we sent out Orders, That our Servants,
and such Gentlemen as were then in our Court,
should attend us to *Westminster*; but giving them
express Command (as we have asserted in our
Answer to the Ordinance) That no Accidents or
Pro-

Provocation should draw them to any such Action An. 18. Car. I.
 as might imply a Purpose of Force in us; and our- 1642.
 self (requiring those of our Train not to come
 within the Door) went into the House of Com-
 mons; the bare doing of which, we did not
 then conceive would have been thought more a
 Breach of Privilege, than if we had gone to the
 House of Peers, and sent for them to come to us,
 which is the usual Custom. We used the best Ex-
 pressions we could to assure them how far we
 were from any Intention of violating their Privi-
 leges; that we intended to proceed legally and
 speedily against the Persons we had accused; and
 desired, therefore, if they were in the House, that
 they might be delivered to us, or, if absent, that
 such Course might be taken for their Forthcoming
 as might satisfy our just Demands; and so we
 departed, having no other Purpose of Force, if
 they had been in the House, than we have before
 protested before God, in our *Answer* to the Or-
 dinance. You have an Account of our Part of
 this Story fully, let our People judge freely of it:
 What followed on their Part, (though this *De-*
claration tells you, *It could not withdraw any Part*
of their Reverence and Obedience from us; it may
 be any Part of theirs it did not) we shall have too
 much Cause hereafter to inform the World.

There will be no End of the Discourse of Up-
 braiding us with evil Counsellors, if, upon our
 constant Denial of knowing any, they will not
 vouchsafe to inform us of them; and after eight
 Months amusing the Kingdom with the Expecta-
 tion of a Discovery of a Malignant Party, and of
 evil Counsellors, they will not at last name any,
 nor describe them: Let the Actions and Lives of
 Men be examined, who have contrived, coun-
 selled, actually consented to grieve and burden our
 People; and if such be about us, or any against
 whom any notorious malicious Crime can be pro-
 ved, if we shelter and protect any such, let our
 Injustice be published to the World; but till that
 be done, particularly and manifestly, (for we shall
 never

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never conclude any Man, upon a bare general *Vote* of the major Part, of either, or both Houses, till it be evident that major Part be without Passion or Affection) we must look upon the Charge this *Declaration* puts on us, of *Cherishing and Countenancing a discontented Party of the Kingdom against them*, as a heavier and unjust Tax upon our Justice and Honour, than any we have or can lay upon the Framers of that *Declaration*.

And now, to countenance those unhandsome Expressions, whereby usually they have implied our Connivance at, or Want of Zeal against, the Rebellion of *Ireland*, so odious to all good Men, they have found a new Way of Exprobation; That the Proclamation against those bloody Traitors came not out till the Beginning of January, though that Rebellion broke out in October; and then, by special Command from us, but forty Copies were appointed to be printed. 'Tis well known where we were at that Time, when that Rebellion broke forth, in *Scotland*: That we, immediately from thence, recommended the Care of that Business to both Houses of Parliament here, after we had provided for all fitting Supplies from our Kingdom of *Scotland*: That after our Return hither we observed all those Forms for that Service, which we were advised to by our Council of *Ireland*, or both Houses of Parliament here: And if no *Proclamation* issued out sooner, (of which for the present we are not certain; but think that others before that Time were issued by our Directions) it was, because the Lords Justices of the Kingdom desired them no sooner; and when they did, the Number they desired was but twenty, which they advised might be signed by us; which we, for Expedition of the Service, commanded to be printed, a Circumstance not required by them; thereupon we signed more of them than our Justices desired: All which was very well known to some Members of one or both Houses of Parliament, who have the more to answer for, if they forbore to express it at the Passing of this *Declaration*;

tion; and if they did exprefs it, we have the
greater Reason to complain that fo envious an
Asperſion ſhould be caſt on us to our People, when
they knew well how to answer their own Ob-
jection.

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What that *Complaint is against the Parliament,*
put forth in our Name, which is ſuch an Evidence
and Countenance to the Rebels, and ſpeaks the ſame
Language of the Parliament, which the Rebels do,
we cannot underſtand. All our *Answers* and *De-*
clarations have been, and are, owned by us, and
have been attested under our own Hand: If any
other had been published in our Name, and with-
out our Authority, it would be eaſy for both Houſes
of Parliament to diſcover and apprehend the Au-
thors: And we wiſh, that whoſoever was truſted
with the Drawing and Penning of that *Declara-*
tion, had no more Authority or Cunning to im-
poſe upon, or deceive, a major Part of thoſe
Votes by which it paſſed, than any Man hath to
prevail with us to publiſh, in our Name, any
Thing but the Senſe and Reſolution of our own
Heart; or that the Contriver of that *Declaration*
could, with as good a Conſcience, call God to
witness, That all his Countels and Endeavours
have been free from all private Aims, perſonal
Reſpects, or Paſſions whatſoever, as we have
done, and do, That we never had, or knew of,
any Reſolution of bringing up the Army to
London. And ſince this new Device is found out,
inſtead of answering our Reaſons, or ſatisfying
our juſt Demands, to blaſt our *Declarations* and
Answers, as if they were not our own, a bold
ſenſeleſs Imputation; we are ſure that every *An-*
ſwer and *Declaration* publiſhed by us, is much
more our own, than any one of thoſe bold, threat-
ning and reproachful *Petitions* and *Remonſtrances*
are the Acts of either or both Houſes. And if
the Penner of that *Declaration* had been careful of
the Truſt repoſed in him, he would never have
denied, (and thereupon found fault with our juſt
Indig-

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Indignation) in the Text or Margin, *That we had never been charged with the Intention of any Force, and that in their whole Declaration there is no Word tending to such a Reproach*; the contrary whereof is so evident, that we are, in express Terms, charged in that *Declaration, That we sent them gracious Messages, when, without Privy, the bringing up the Army was in Agitation*. And even in this *Declaration* they seek to make our People believe some such Thing to be proved in the *Depositions* now published; wherein, we doubt not, they will as much fail, as they do in their Censure of that *Petition* shewed formerly to us by Captain *Legge*, and subscribed by us with *C. R.* which, notwithstanding our full and particular Narration of the Substance of that *Petition*, the Circumstances of our seeing and approving it, this *Declaration* is pleased to say, *Was full of Scandal to the Parliament, and might have proved dangerous to the whole Kingdom*. If they have this dangerous *Petition* in their Hands, we have no Reason to believe any Tenderness to us-ward hath kept them from communicating it: If they have it not, we ought to have been believed. But that all good People may compute their other pretended Dangers by their clear Understanding of this, (the Noise whereof hath not been inferior to any of the rest) we have recovered a true Copy of the very *Petition* we signed with *C. R.* which shall, in fit Time, be published; and which, we hope, will open the Eyes of our good People.

Concerning our Warrant for Mr. *Fermin's* Passage, our *Answer* was true and full; but for his black Sattin Suit, and white Boots, we can give no Account.

We complained in our *Declaration*, and as often as we have Occasion to mention our Return and Residence near *London*, we shall complain, of the barbarous and seditious Tumults at *Westminster* and *Whitehall*; which indeed were so full of Scandal to our Government, and Danger to our
Per-

' Person; that we shall never think of our Return An. 28. Car. I.
 ' thither, till we have Justice for what is past, and
 ' Security for the Time to come. And if there
 ' were so great a Necessity, or Desire of our Return
 ' as is pretended, in all this Time; upon our so of-
 ' ten pressing Desires, and upon Causes so notorious,
 ' we should, at least, have procured some Order for
 ' the future: But that *Declaration* tells us, *We are*
 ' *upon the Matter mistaken; the Resort of the Citi-*
 ' *zens to Westminster was as lawful, as the Resort*
 ' *of great Numbers, every Day in the Term, to the*
 ' *ordinary Courts of Justice.* They knew no Tu-
 ' mults. Strange! Was the disorderly Appearance
 ' of so many thousand People, with Staves and
 ' Swords, crying through the Streets, *Westminster-*
 ' *Hall*, and the Passage between both Houses, in so
 ' much as the Members could hardly pass to and
 ' fro, *No Bishops, Down with the Bishops*, no Tu-
 ' mults? What Member is there of either House
 ' that saw not those Numbers, and heard not those
 ' Cries? And yet lawful Assemblies! Were not
 ' several Members of either House assaulted, threat-
 ' ned, and ill treated? And yet no Tumults! Why
 ' made the House of Peers a *Declaration*, and sent
 ' it down to the House of Commons, for Suppres-
 ' sing of Tumults, if there were no Tumults?
 ' And, if there were any, why was not such a *De-*
 ' *claration* consented to and published? When the
 ' Attempts were so visible, and the Threats so loud
 ' to pull down the Abbey at *Westminster*, had not we
 ' just Cause to apprehend, That such People might
 ' continue their Work to *Whitehall*? Yet no Tu-
 ' mults! What a strange Time are we in, that a
 ' few impudent, malicious (to give them no worse
 ' Term) Men should cast such a strange Mist of
 ' Error before the Eyes of both Houses of Parlia-
 ' ment, as that they either cannot, or will not, see
 ' how manifestly they injure themselves, by main-
 ' taining these visible Untruths? We say no more.
 ' By the Help of God and the Law, we will have
 ' Justice for those Tumults.

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‘ From excepting, (how weightily let every Man
 ‘ judge) to what we have said, that *Declaration* pro-
 ‘ ceeds to censure us for what we have not said, for
 ‘ the *prudent Omissions* in our *Answer*: We forbore
 ‘ to say any Thing of the *Words spoken at Ken-*
 ‘ *sington, or the Articles against our dearest Consort,*
 ‘ *and of the Accusation of the six Members.* Of the
 ‘ last we had spoken often, and we thought enough
 ‘ of the other two; having never accused any, tho’
 ‘ God knows, what Truth there might be in
 ‘ either, we had no Reason to give any particular
 ‘ *Answer.*

‘ We do not reckon ourself bereaved of any
 ‘ Part of our Prerogative, which we are pleased
 ‘ freely, for a Time, to part with by *Bill*; yet we
 ‘ must say, we expressed a great Trust in our two
 ‘ Houses of Parliament, when we divested ourself
 ‘ of the Power of Dissolving this Parliament; which
 ‘ was a just, necessary, and proper Prerogative:
 ‘ But we are glad to hear their Resolution, *That it*
 ‘ *shall not encourage them to do any Thing which, o-*
 ‘ *therwise, had not been fit to have been done.* If it
 ‘ do, it will be such a Breach of Trust, as God will
 ‘ require an Account for at their Hands.

‘ For the *Militia*; we have said so much of it
 ‘ heretofore, and the Point is so well understood
 ‘ by all Men, that we will waste no more Time
 ‘ in that Dispute. We never said, *There was no*
 ‘ *such Thing as an Ordinance*; (though we know
 ‘ that they have been long disused) *but that there*
 ‘ *was never any Ordinance, or can be, without the*
 ‘ *King’s Consent*; and that is true: And the unne-
 ‘ cessary Precedent, cited in the *Declaration*, doth not
 ‘ offer to prove the contrary. But enough of that.
 ‘ God and the Law must determine that Business.

‘ Neither hath this *Declaration* given us any Sa-
 ‘ tisfaction concerning the *Votes* of the fifteenth and
 ‘ sixteenth of *March* last; which we must declare
 ‘ and appeal to all the World, in this Point, to be
 ‘ the greatest Violation of our Privilege, the Law of
 ‘ the Land, the Liberty of the Subject, and the Right
 ‘ of

of the Parliament that can be imagined. One
 of those *Votes* is, (and there needs no other to de-
 stroy the King and People), *That when the Lords*
and Commons (it is well the Commons are admit-
 ted to their Part in Judicature) *shall declare what*
the Law of the Land is, the same must be assented
to, and obeyed; that is the Sense in few Words.
 Where is every Man's Property, every Man's
 Liberty? If a major Part of both Houses declare
 that the Law is, That the younger Brother shall
 inherit, what is become of all the Families and
 Estates in the Kingdom? If they declare, That,
 by the Fundamental Law, of the Land, such a
 rash Action, such an unadvised Word, ought to
 be punished by perpetual Imprisonment, is not the
 Liberty of the Subject, *durante Beneplacito*, re-
 mediless? That *Declaration* confesseth, *They pre-*
tend not to a Power of making new Laws; that,
without us, they cannot do that. They need no
 such Power, if their *Declaration* can suspend this
Statute from being obeyed or executed, and make
 this *Order*, which is no *Statute*, to be obeyed and
 executed: If they have Power to declare the Lord
Digby's waiting on us at *Hampton-Court*, and
 thence visiting some Officers at *Kingston*, with a
 Coach and six Horses, to be levying of War,
 and High Treason; and Sir *John Hotbham's* defy-
 ing us to our Face, keeping our Town, Fort,
 and Goods against us by Force of Arms, to be an
 Act of Affection and Loyalty; what needs a
 Power of making new Laws? Or is there such a
 Thing as Law left? We desire our good Subjects
 to mark the Reason and Consequence of these
Votes; the Progress they have already made; and
 how infinite that Progress may be. First, they
vote the Kingdom is in imminent Danger (it is above
 three Months since they discerned it) *from Ene-*
mies abroad, and a Popish and discontented Party
at home: That is Matter of Fact. The Law
 follows: This *Vote* hath given them *Authority by*
Law (the Fundamental Laws of the Kingdom) *to*
order and dispose of the Militia of the Kingdom, and,
 with

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' with this Power, and to prevent that Danger, to
 ' enter into our Towns, seize upon our Magazine,
 ' and, by Force, keep both from us: Is not this our Case?
 ' First, they vote, *We have an Intention to levy War*
 ' against our Parliamēt; That is Matter of Fact:
 ' Then they declare, *such as shall assist us to be guilty*
 ' of High Treason; that is the Law, and proved by
 ' two Statutes, themselves know to be repealed:
 ' No matter for that, they declare it. Upon this
 ' Ground they exercise the *Militia*, and so actually
 ' do that upon us, which they have voted we in-
 ' tend to do upon them. Who doth not see the
 ' Confusion that must follow upon such a Power
 ' of declaring? If they should now vote, That we
 ' did not write this *Declaration*, but that such an
 ' one did it; which is still Matter of Fact; and
 ' then declare, That, for so doing, he is an Enemy
 ' to the Common-Wealth; what is become of the
 ' Law that Man was born to? And if all their
 ' Zeal for the Defence of the Law, be but to de-
 ' fend that which they declare to be Law, their
 ' own *Votes*, it will not be in their Power to satisfy
 ' any Man of their good Intentions to the public
 ' Peace, but such who is willing to relinquish his
 ' Title to *Magna Charta*, and hold his Life and
 ' and Fortune by a *Vote* of a major Part of both
 ' Houses. In a Word; we deny not but they may
 ' have Power to declare in a particular doubtful
 ' Case, regularly brought before them, what Law
 ' is; but to make a general *Declaration*, whereby
 ' the known Rule of the Law may be crossed or
 ' altered, they have no Power, nor can exercise
 ' any; without bringing the Life and Liberty of
 ' the Subject, to a lawless and arbitrary Subjection.
 ' We complained (and let the World judge the Ju-
 ' stice and Necessity of that Complaint) of the Mul-
 ' titude of seditious Pamphlets and Sermons; and
 ' that *Declaration* tells us, *They know we have Ways*
 ' enough in our ordinary Courts of Justice to punish
 ' these: So we have to punish Tumults and Riots;
 ' and yet they will not serve our Turn to keep our
 ' Towns, our Forests, and Parks, from Violence.
 ' And

‘ And it may be, though those Courts have still the
 ‘ Power to punish, they may have lost the Skill to
 ‘ define what Riots and Tumults are; otherwise a
 ‘ Jury in *Southwark*, legally impanelled to exa-
 ‘ mine a Riot there, would not have been super-
 ‘ ceded, and the Sheriff enjoined not to proceed, by
 ‘ virtue of an *Order* of the House of Commons;
 ‘ which it seems, at that Time, had the Sole Power
 ‘ of *declaring*. But it is no Wonder that they, who
 ‘ could not see the Tumults, do not consider the
 ‘ Pamphlets and Sermons; tho’ the Author of the
 ‘ *Protestation* *protested* be well known to be *Burton*,
 ‘ that infamous Disturber of the Peace of this
 ‘ Church and State; and that he preached it at
 ‘ *Westminster*, in the Hearing of divers Members
 ‘ of the House of Commons: But of such Pam-
 ‘ phlets and seditious Preachers (divers whereof have
 ‘ been recommended, if not imposed upon several
 ‘ Parishes, by some Members of both Houses, by
 ‘ what Authority we know not) we shall hereafter
 ‘ take a further Account.

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‘ We confess we have little Skill in the Laws,
 ‘ and those that have had most we now find are
 ‘ much to seek; yet we cannot understand or be-
 ‘ lieve, *That every ordinary Court, or any Court,*
 ‘ *hath Power to raise what Guard they please, and*
 ‘ *under what Command they please*; neither can we
 ‘ imagine what dangerous Effects they found by the
 ‘ Guard we appointed them; or, indeed, any the
 ‘ least Occasion why they needed a Guard at all.

‘ But of all the Imputations so causelessly and un-
 ‘ justly laid upon us by that *Declaration*, we must
 ‘ wonder at that Charge, so apparently and evi-
 ‘ dently untrue, *That such are continually preferred*
 ‘ *and countenanced by us, who are Friends or Favour-*
 ‘ *ers of, or related unto, the chief Authors or Actors*
 ‘ *of that Arbitrary Power heretofore practised and*
 ‘ *complained of: And, on the other Side, That such*
 ‘ *as did appear against it, are daily discountenanced*
 ‘ *and disgraced*. We would know one Person that
 ‘ contributed to the Ills of those Times, or had
 ‘ Dependance upon those that did, whom we do,

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or lately have countenanced or preferred. Nay, we are confident, (and we look for no other at their Hands) as they have been always most eminent Assertors of the Public Liberties, so, if they found us inclined to any thing not agreeable to Honour and Justice, they would leave us Tomorrow: Whether different Persons have not and do not receive Countenance elsewhere, and upon what Grounds, let all Men judge; and whether we have not been forward enough to honour and prefer those of the most contrary Opinion, how little Comfort soever we have had of those Preferments; in bestowing of which, hereafter, we shall be more guided by Men's Actions than Opinions; and therefore we had good Cause to bestow that Admonition (for we assure you it was an Admonition of our own) upon both our Houses of Parliament, *To take Heed of inclining, under the specious Shews of Necessity and Danger, to the Exercise of such an Arbitrary Power they before complained of.* The Advice will do no Harm; and we shall be glad to see it followed.

And are all the specious Promises, and loud Professions, *Of making us a great and glorious King; of settling a greater Revenue upon us than any of our Ancestors have enjoyed; of making us to be honoured at home, and feared abroad,* resolved into this, *That they will be ready to settle our Revenue in an honourable Proportion, when we shall put ourself in such a Posture of Government, that our Subjects may be secure to enjoy our just Protection for their Religion, Laws, and Liberties?* What Posture of Government they intend we know not; nor can we imagine what Security our good Subjects can desire for their Religion, Laws, and Liberties, which we have not offered, or fully given. And is it suitable to the Duty and Dignity of both Houses of Parliament, to answer our particular weighty Expressions of the Causes of our Remove from London (so generally known to the Kingdom) with a Scoff, *That they hope we were driven from thence, not by our own Fears, but by the*

the Fears of the Lord Digby and his Retinue of Cavaliers? Sure the Penner of that Declaration inserted that ungrave and insolent Expression (as he hath done divers others) without the Consent or Examination of both Houses, who would not so lightly have departed from their former Professions of Duty to us.

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Whether the Way to a good Understanding between us and our People hath been as zealously pressed by them, as it hath been professed and desired by us, will be easily discerned by those who observe, that we have left no public Act undone on our Part, which, in the least Degree, might be necessary to the Peace, Plenty, and Security of our Subjects; and that they have not dispatched one Act which hath given the least Evidence of their particular Affection and Kindness to us; but, on the contrary, have discountenanced and hindered the Testimony other Men would have given us of their Affections: Witness the stopping and keeping back the Bill of *Subsidies*, granted by the Clergy, almost a Year since; which, tho' our personal Wants are so notoriously known, they will not, to this Time, pass: So not only forbearing to supply us themselves, but keeping the Love and Bounty of other Men from us; and afford no other *Answers* to all our Desires, all our Reasons, (indeed not to be answered) than, *That we must not make our Understanding or Reason the Rule of our Government; but suffer ourself to be assisted* (which we never denied) *by our Great Council*. We require no other Liberty to our Will, than the meanest of them do, (we wish they would always use that Liberty) not to consent to any thing evidently contrary to our Conscience and Understanding; and we have, and shall always give, as much Estimation and Regard to the Advice and Counsel of both our Houses of Parliament, as ever Prince hath done: But we shall never (and we hope our People will never) account the Contrivance of a few factious seditious Persons, (a Malignant Party, who would sa-

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crifice the Common-Wealth to their own Fury
and Ambition) the Wisdom of Parliament; and
that the Justifying and Defending such Persons
(of whom, and of their particular sinister Ways to
compass their own bad Ends, we shall shortly in-
form the World) is not the Way to preserve Par-
liaments; but is the Opposing and Preferring the
Consideration of a few unworthy Persons, before
their Duty to their King, or their Care of the
Kingdom. They would have us remember,
That our Resolutions do concern Kingdoms; and
therefore not to be moulded by our own Understand-
ings. We well remember it; but we would have
them remember, That when their Consultations
endeavour to lessen the Office and Dignity of a
King, they meddle with that which is not within
their Determination; and of which we must give
an Account to God and our other Kingdoms, and
must maintain with the Sacrifice of our Life.

Lastly, That Declaration tells you of a present
desperate and malicious Plot the Malignant Party
is now acting, under the plausible Notions of stir-
ring Men up to a Care of preserving the King's
Prerogative; maintaining the Discipline of the
Church; upholding and continuing the Reverence
and Solemnity of God's Service; and encouraging
Learning; (indeed plausible and honourable No-
tions to act any thing upon) and that upon these
Grounds divers mutinous Petitions have been fram'd
in London, Kent, and other Places. Upon what
Grounds would these Men have *Petitions* framed?
Have so many *Petitions* (even against the Form
and Constitution of the Kingdom, and the Laws
established) been joyfully received and accepted?
And shall *Petitions* framed upon these Grounds
be called *Mutinous*? Hath a Multitude of mean,
unknown, inconsiderable, contemptible Persons
about the City and Suburbs of *London*, had Liberty
to *petition* against the Government of the Church;
against the Book of Common Prayer; against the
Freedom and Privilege of Parliament; and been
thanked for it: And shall it be called *Mutiny* in
the

the gravest and best Citizens of *London*, or in the Gentry and Commonalty of *Kent*, to frame *Petitions* upon these Grounds; and to desire to be governed by the known Laws of the Land, not by *Orders* and *Votes* of either, or both Houses? Can this be thought the Wisdom and Justice of both Houses of Parliament? Is it not evidently the Work of a Faction within, or without, both Houses, who deceive the Trust reposed in them; and have now told us what *Mutiny* is, That to stir Men up to a Care of preserving our Prerogative; maintaining the Discipline of the Church; upholding and continuing the Reverence and Solemnity of God's Service; and encouraging of Learning, is *Mutiny*! Let Heaven and Earth, God and Man, judge between us and these Men. And however such *Petitions* are there called *mutinous*, and the Petitioners threatened, discountenanced, censured, and imprisoned; if they bring such lawful *Petitions* to us, we will graciously receive them; and defend them and their Rights against what Power soever, with the uttermost Hazard of our Being.

We have been the longer (to our very great Pain) in this *Answer*, that we might give the World Satisfaction, even in the most trivial Particulars which have been objected against us; and that we may not be again reproached with any more *prudent Omissions*. If we have been compelled to sharper Language than we affect, let it be considered, how vile, how insufferable our Provocations have been; and except to repel Force be to assault, and to give punctual and necessary *Answers* to rough and insolent Demands be to make *Invectives*, we are confident the World will accuse us of too much Mildness; and all our good Subjects will think, we are not well dealt with; and will judge of us, and of their own Happiness and Security in us, by our Actions; which we desire may no longer prosper, or have a Blessing from God upon them and us, than they shall be directed to the Glory of God, in the Maintenance of the true *Protestant* Profession; to the Preserva-

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'tion of the Property and Liberty of the Subject,
' in the Observation of the Laws; and to the
' Maintenance of the Rights and Freedom of Par-
' liament, in the Allowance and Protection of all
' their just Privileges.'

May 25. Another Letter from the Lord *Howard*,
at *York*, directed to the Lord Keeper, was received,
and read as follows :

My Lord,

A Fifth Letter
from the Com-
mittee at *York*.

*I*N Obedience to the Command of the House, we
waited Yesterday on his Majesty, and presented him
with the Petition and Votes of both Houses (x). He
was pleased to tell us, That he would not give us a
present Answer, but that we should have one shortly.
We do not, as yet, hear of any Resolution to lay down
these Guards; the Foot are still in the same Number
they were; the Horse, as we hear, do increase; so,
likewise, do Men's Fears and Apprehensions. The
Prince is made Captain of these Horse, a Brother of
Sir John Byron's Lieutenant, and one of Sir Ingleby
Daniel's Sons, a Gentleman of this Country, is made
Cornet. His Majesty had summoned the Freeholders,
Copyholders, and substantial Farmers, of this County,
to be here, at *York*, on Friday next; but, this Af-
ternoon, we hear there is a Warrant, from the King,
to the High Sheriff, to defer that Meeting till Friday
come Se'ennight. My Lord, this is all I have to ac-
quaint you at this Time, and that I am

York, May 23,
1642.

Your Lordship's humble Servant,

ED. HOWARD.

An Order of the
House of Lords,
for summoning
their absent
Members.

The same Day the Lords took Notice of several
of their House being absent on the King's Letters
to attend him at *York*; and judging it contrary to the
Privileges of that House, resolved to consider what
Course was fit to be taken with these Deserters.
Hereupon it was ordered, That the Lords gone to
York, or other Places, contrary to a former Order
of

(x) The Petition and Votes, here referred to, begin this Volume,

of this House, shall be sent for, and taken into Custody, to answer their Contempt done to this House; and, in case they refuse to come, then the House would give Judgment against them for the same. The Lords *North* and *Brooke* were appointed to put down the Names of such Peers as were absent without Leave, &c. This was done accordingly, and presented to the House under the following DISTINCTIONS:

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LORDS *that have absented themselves from the PARLIAMENT, and are now with his MAJESTY at York.*

The Lord-Keeper	Earl of <i>Newport</i>
Duke of <i>Richmond</i>	Earl of <i>Thanet</i>
Marquis of <i>Hertford</i>	Earl of <i>Huntingdon</i>
Earl of <i>Cumberland</i>	Lord <i>Spencer</i>
Earl of <i>Bath</i>	Lord <i>Strange</i>
Earl of <i>Southampton</i>	Lord <i>Willoughby of Eresby</i>
Earl of <i>Dorset</i>	Lord <i>Rich</i>
Earl of <i>Salisbury</i>	Lord <i>Andover</i>
Earl of <i>Northampton</i>	Lord <i>Fauconberge</i>
Earl of <i>Carlisle</i>	Lord <i>Lovelace</i>
Earl of <i>Clare</i>	Lord <i>Paulet</i>
Earl of <i>Westmoreland</i>	Lord <i>Covenry</i>
Earl of <i>Lindsey</i>	Lord <i>Saville</i>
Earl of <i>Newcastle</i>	Lord <i>Dunsmore</i>
Earl of <i>Dover</i>	Lord <i>Seymour</i>
Earl of <i>Caernarvon</i>	Lord <i>Herbert of Cherbury</i>

LORDS *that have not absented themselves from the Business of the House.*

Earl of <i>Northumberland</i>	Earl of <i>Bolingbroke</i>
Earl of <i>Bedford</i>	Earl of <i>Peterborough</i>
Earl of <i>Pembroke</i> and	Earl of <i>Stamford</i>
<i>Montgomery</i>	Earl of <i>Manchester</i>
Earl of <i>Essex</i>	Earl of <i>Portland</i>
Earl of <i>Lincoln</i>	Earl of <i>Cleveland</i>
Earl of <i>Suffolk</i>	Earl of <i>Bristol</i>
Earl of <i>Leicester</i>	Earl of <i>Monmouth</i>
Earl of <i>Warwick</i>	Earl of <i>Devonshire</i>
Earl of <i>Holland</i>	Viscount <i>Say and Sele</i>
	Lord

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	Lord <i>Hastings</i>	Lord <i>Stanbope</i> .
	Lord <i>Cromwell</i>	Lord <i>Grey de Ruthyn</i>
	Lord <i>Wentworth</i>	Lord <i>Roberts</i>
	Lord <i>Paget</i>	Lord <i>Kimbolton</i>
	Lord <i>North</i>	Lord <i>Howard of Eskricke</i>
	Lord <i>Gbandois</i>	Lord <i>Brooke</i>
	Lord <i>Willoughby of Par-</i>	Lord <i>Fielcing</i>
	<i>ham</i>	Lord <i>Mowbray</i>
	Lord <i>Wharton</i>	Lord <i>Grey de Werk</i>
	Lord <i>Hunsdon</i>	Lord <i>Howard de Charlton</i>
	Lord <i>Pierpoint</i> (Viscount	Lord <i>Capel</i>
	<i>Newark</i>)	

LORDS *not commonly coming to Parliament, being ei-*
ther Minors, or disabled by Old Age, or for other
Reasons and Infirmities.

Duke of <i>Buckingham</i>	Earl of <i>Oxford</i>
Earl of <i>Derby</i>	Earl of <i>Suffex</i>
Earl of <i>Danby</i>	Earl of <i>Exeter</i>
Earl of <i>Mulgrave</i>	Earl of <i>Nottingham</i>
Earl of <i>Rutland</i>	Lord <i>Harvey</i>
Earl of <i>Bridgewater</i>	Lord <i>Powis</i>
Earl of <i>Kent</i>	

The rest of the Peers are not particularly distinguished, but only, *in general*, said to be either abroad in foreign Parts, Absent with Leave, or Recufants. The Lords *North* and *Brooke*, who, as before observed, were appointed to take this Account, told the House, 'That they conceived the Latter to have no Right to Vote in Parliament, during their Recufancy.

May 26. Another long *Remonstrance*, or *Declaration*, having been framed by the Commons, and sent up to the Lords, it was this Day read in that House, and agreed to: The Earls of *Bristol*, *Monmouth*, and *Devenshire*, with the Lords *Mowbray*, *Grey de Ruthyn*, *Howard de Charlton*, *Pierpoint* and *Capel*, dissenting.

Or

Ordered, That this Declaration be forthwith An. 18. Car. I.
printed and published, as follows: (y) 1642.

‘ **A** Lthough the great Affairs of this Kingdom, A Remonstrance
‘ and the miserable and bleeding Condition of both Houses,
‘ of the Kingdom of *Ireland*, affords us little Lei- May 26, in An-
‘ sure to spend our Time in *Declarations*, or in Declaration con-
‘ *Answers* and *Replies*; yet the Malignant Party concerning Hull, &c.
‘ about his Majesty, taking all Occasions to multi-
‘ ply Calumnies upon the Houses of *Parliament*,
‘ and to publish sharp *Invectives* under his Majesty’s
‘ *Name* against them and their Proceedings; (a new
‘ Engine which they have invented to heighten the
‘ Distractions of this Kingdom, and to beget and
‘ increase Distrust and Disaffection between the
‘ *King*, his *Parliament*, and the *People*) we cannot
‘ be so much wanting to our own Innocency, or
‘ to the Duty of our Trust, as not to clear our-
‘ selves from those false Aspersions; and (which is
‘ our chiefest Care) to disabuse the People’s Minds,
‘ and open their Eyes, that under the false Shews
‘ and Pretexts of the Law of the Land, and of
‘ their own Rights and Liberties, they may not be
‘ carried into the Road-Way that leads to the ut-
‘ ter Ruin and Subversion thereof.

‘ A late Occasion that these wicked Spirits of
‘ Division have taken to defame, and indeed to ar-
‘ raigh, the Proceedings of both Houses of *Parlia-*
‘ *ment*, hath been from our *Votes* of the 26th of
‘ *April*, and our *Declaration* concerning the Busi-
‘ ness of *Hull*; which because we put forth before
‘ we could send our *Answer* concerning that Matter
‘ unto his Majesty, those mischievous Instruments
‘ of Dissention, between the *King*, the *Parliament*,
‘ and the *People*, whose chief Labour and Study is
‘ to

(y) From the Original Edition, printed for John Frank, 1642.
The *Declarations* and other Proceedings of Parliament having been
printed, very frequently about this Time, in an incorrect Manner
by unlicensed Printers, we find, in the Title of this *Declaration*, the
following remarkable Certificate.

According to an Order, made in the House of Commons on Satur-
day last, I have examined this Copy with the Original, and have
mended it.

H. Elsing, Cler. Parl. D. Com.

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to misrepresent our Actions to his Majesty and to the Kingdom, would needs interpret this as an *Appeal* to the *People*, and a Declining of all Intercourse between his Majesty and us, as if we thought it to no Purpose to endeavour any more to give him Satisfaction; and, without expecting any longer our *Answer*, they themselves have, under the Name of a *Message* from his Majesty to both Houses of Parliament, indeed made an *Appeal* to the *People*; as the *Message* itself doth in a Manner grant it to be, offering to join Issue with us in that Way; and, in the Nature thereof, doth clearly shew itself to be none other: Therefore we shall likewise address our *Answer* to the *Kingdom*, not by Way of *Appeal*, as we are charged; but to prevent them from being their own Executioners; and from being persuaded, under false Colours of defending the Law and their own Liberties, to destroy both with their own Hands; by taking their Lives, Liberties, and Estates out of those Hands whom they have chosen and intrusted therewith; and resigning them up unto some evil Counsellors about his Majesty, who can lay no other Foundation of their own Greatness, but upon the Ruin of this, and, in it, of all Parliaments, and, in them, of the true Religion and the Freedom of this Nation.

These are the Men that would persuade the People, that both Houses of *Parliament* (containing all the *Peers*, and representing all the *Commons* of *England*) would destroy the Laws of the Land and Liberty of the People; wherein, besides the Trust of the whole, they themselves, in their own Particulars, have so great an Interest of Honour and Estate, that we hope it will gain little Credit with any that have the least Use of Reason, that such as must have so great a Share in the Misery, should take so much Pains in the Procuring thereof; and spend so much Time, and run so many Hazards, to make themselves Slaves and destroy the Property of their Estates.

But

‘ But that we may give particular Satisfaction to An. 18. Car. I.
‘ the several Imputations cast upon us, we shall 1642.
‘ take them in Order, as they are laid upon us, in
‘ that *Message*. May.

‘ *First*, We are charged for the *Avowing* of that
‘ *Act* of Sir John Hotham, which is termed unpara-
‘ lled, and an high and unheard-of *Affront* unto his
‘ Majesty; and, as if we needed not to have done
‘ it, *he being able*, as is alledged, to produce no such
‘ *Command* of the Houses of Parliament.

‘ Although Sir John Hotham had not an Order
‘ that did expresse every Circumstance of that Case,
‘ yet he might have produced an Order of both
‘ Houses which did comprehend this Case, not on-
‘ ly in the clear Intention, but in the very Words
‘ thereof; which knowing in our Consciences to be
‘ so, and to be most necessary for the Safety of the
‘ Kingdom, we could not but in Honour and Ju-
‘ stice avow that Act of his; which we are confi-
‘ dent will appear to all the World to be so far from
‘ being an Affront to the King, that it will be
‘ found to have been an Act of great Loyalty to
‘ his Majesty, and to his Kingdom.

‘ The next Charge upon is, *That, instead of gi-
‘ ving his Majesty Satisfaction, we published a Decla-
‘ ration concerning that Business, as an Appeal un-
‘ to the People; as if our Intercourse with his Ma-
‘ jesty, and for his Satisfaction, were now to no more
‘ Purpose*; which Course is alledged to be very un-
‘ agreeable to the Modesty and Duty of former Times,
‘ and not warrantable by any Precedents, but what
‘ ourselves have made.

‘ If the Penner of this *Message* had waited a
‘ while, and had not expected that two Houses of
‘ Parliament, (especially burthened as they are at
‘ this Time with so many pressing and urgent Af-
‘ fairs) should have moved as fast as himself, he
‘ would not have said that *Declaration* was instead
‘ of an *Answer* to his Majesty; which we did dis-
‘ patch with all the Speed and Diligence we could,
‘ and have sent it to his Majesty by a Committee of
‘ both

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both Houses; whereby it appears, that we did
it not upon that Ground, *that we thought it was*
no more to any Purpose to endeavour to give his
Majesty Satisfaction. And as for the Duty and Mo-
desty of former Times, from which we are said to
have varied, and to want the Warrant of any Pre-
cedents therein, but what ourselves have made; If
we have made any Precedents in this Parliament,
we have made them for Posterity; upon the same,
or better, Grounds of Reason and Law than those
were, upon which our Predecessors first made
any for us. And as some Precedents ought not
to be Rules for us to follow, so none can be
Limits to bound our Proceedings, which may
and must vary according to the different Condition
of Times; and for this Particular of *setting forth*
Declarations, for the Satisfaction of the People,
who have chosen and intrusted us with all that is
dearest to them; if there be no Example for it, it
is because there were never any such Monsters be-
fore, that ever attempted to disaffect the People
from a Parliament, or could ever harbour a
Thought that it might be effected: Were there
ever such Practices to poison the People with an
ill Apprehension of the Parliament? Were there
ever such Imputations and Scandals laid upon the
Proceedings of both Houses? Were there ever so
many and so great Breaches of Privilege of Par-
liament? Were there ever so many and so despe-
rate Designs of Force and Violence against the
Parliament, and the Members thereof? If we
have done more than ever our Ancestors have done,
we have suffered more than ever they have suf-
fered; and yet, in point of Modesty and Duty,
we shall not yield to the best of former Times;
and we shall put this in Issue, Whether the highest
and most unwarrantable Proceedings of any of his
Majesty's Predecessors, do not fall short of, and
much below, what hath been done to us this Par-
liament: And on the other Side, Whether, if we
should make the highest Precedents of other Par-
liaments

liaments our Patterns, there would be Cause to An. 18. Car. I.
complain of *Want of Modesty and Duty in us*; 1642.
when we have not so much as suffered such Things
to enter into our Thoughts, which all the World
knows they have put in Action?

May.

Another Charge which is laid very high upon
us (and which were indeed a very great Crime if
we were found guilty thereof) is, *That, by Avow-*
ing this Act of Sir John Hotham, we do, in Con-
sequence, confound and destroy the Title and Interest
of all his Majesty's good Subjects to their Lands and
Goods; and that upon this Ground, That his Ma-
jesty hath the same Title to his own Town of Hull,
which any of his Subjects have to their Houses or
Lands; and the same to his Magazine or Munition
there, that any Man hath to his Money, Plate, or
Jewels; and therefore that they ought not to have
been disposed of without or against his Consent, no
more than the House, Land, Money, Plate, or Jew-
els, of any Subject ought to be, without or against
his Will.

Here that is laid down for a Principle, which
would indeed pull up the very Foundation of the
Liberty, Property, and Interest of every Subject
in particular, and of all the Subjects in general;
if we should admit it for a Truth, *That his Ma-*
jesty hath the same Right and Title to his Towns and
Magazine (bought with the Public Monies, as
we conceive that at *Hull* to have been) *that every*
particular Man hath to his House, Lands, and
Goods; for his Majesty's Towns are no more his
own, than his Kingdom is his own; and his King-
dom is no more his own, than his People are his
own; and if the King had a Property in all his
Towns, what would become of the Subjects Pro-
perty in their Houses therein? And if he had a
Property in his Kingdom, what would become of
the Subjects Property in their Lands throughout
the Kingdom? Or of their Liberties, if his Ma-
jesty had the same Right in their Persons, that e-
very Subject hath in their Lands, or Goods? And
what should become of all the Subjects Interest in
the

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the Towns and Forts of the Kingdom, and in the Kingdom itself, if his Majesty might sell, or give them away, or dispose of them at his Pleasure, as a particular Man may do with his Lands and with his Goods? This erroneous Maxim, being infused into Princes, *That their Kingdoms are their own, and that they may do with them what they will*, (as if their Kingdoms were for them, and not they for their Kingdoms) is the Root of all the Subjects Misery, and of all the Invading of their just Rights and Liberties; whereas, indeed, they are only intrusted with their Kingdoms, and with their Towns, and with their People, and with the public Treasure of the Common-wealth and whatsoever is bought therewith: By the known Law of this Kingdom, the very Jewels of the Crown are not the King's proper Goods, but are only intrusted to him for the Use and Ornament thereof; as the Towns, Forts, Treasure, Magazine, Offices and People of the Kingdom, and the whole Kingdom itself, are intrusted unto him for the Good and Safety and best Advantage thereof: And as this Trust is for the Use of the Kingdom, so ought it to be manag'd by the Advice of the Houses of Parliament, whom the Kingdom hath trusted for that Purpose; it being their Duty to see it be discharged according to the Condition and true Intent thereof; and, as much as in them lies, by all possible Means to prevent the contrary; which, if it hath been their chief Care and only Aim in the disposing of the Town and Magazine of *Hull*, in such Manner as they have done, they hope it will appear clearly to all the World, That they have discharged their own Trust, and not invaded that of his Majesty's; much less, his Property, which, in this Case, they could not do.

But admitting his Majesty had, indeed, a Property in the Town and Magazine of *Hull*, who doubts but that a Parliament may dispose of any Thing wherein his Majesty or any Subject hath

' a Right, in such a Way as that the Kingdom
 ' may not be exposed to Hazard or Danger thereby?
 ' which is our Case in the disposing of the Town
 ' and Magazine of *Hull*. And whereas his Majesty
 ' doth allow this, and a greater, Power to a Parlia-
 ' ment, but in that Sense only as he himself is a
 ' Part thereof; we appeal to every Man's Con-
 ' science, that hath observed our Proceedings, whe-
 ' ther we disjoined his Majesty from his Parliament;
 ' who have, in all humble Ways, sought his Con-
 ' currence with us; as in this Particular about *Hull*,
 ' and for the Removal of the Magazine there, so
 ' also in all other Things; or whether these evil
 ' Counsellors about him have not separated him
 ' from his Parliament, not only in Distance of
 ' Place, but also in the Discharge of this joint
 ' Trust with them for the Peace and Safety of the
 ' Kingdom, in this and some other Particulars.
 ' We have given no Occasion to his Majesty to
 ' declare his Resolution with so much Earnestness,
 ' *That he will not suffer either, or both Houses, by their*
 ' *Votes, without or against his Consent, to enjoin any*
 ' *Thing that is forbidden by the Law, or to forbid*
 ' *any Thing that is enjoined by the Law*; for our
 ' *Votes* have done no such Thing: And as we shall
 ' be very tender of the Law; (which we acknow-
 ' ledge to be the Safeguard and Custody of all pub-
 ' lic and private Interests) so we shall never allow
 ' a few private Persons about his Majesty, nor his
 ' Majesty himself, in his own Person and out of
 ' his Court, to be Judge of the Law; and that
 ' contrary to the Judgment of the Highest Court
 ' of Judicature: In like Manner, *That his Ma-*
 ' *jesty hath not refused to consent to any Thing, that*
 ' *might be for the Peace and Happiness of the King-*
 ' *dom*; we cannot admit it in any other Sense,
 ' but as his Majesty taketh the Measure of what
 ' will be for the Peace and Happiness of the King-
 ' dom, from some few ill-affected Persons about
 ' him, contrary to the Advice and Judgment of
 ' his great Council of Parliament.

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' And

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‘ And because the Advice of both Houses of
‘ *Parliament* hath, through the Suggestions of evil
‘ Counsellors, been so much undervalued of late,
‘ and so absolutely rejected and refused; we hold it
‘ fit to declare unto the *Kingdom*, (whose Honour
‘ and Interest is so much concerned in it) what is the
‘ Privilege of the great Council of *Parliament* here-
‘ in, and what is the Obligation that lieth upon the
‘ Kings of this Realm to pass such Bills as are offered
‘ unto them by both Houses of *Parliament*, in the
‘ Name, and for the Good, of the whole *Kingdom*;
‘ whereunto they stand engaged, both in Conscience
‘ and in Justice, to give their Royal Assent (2): In
‘ Conscience, in respect of the *Oath* that is, or
‘ ought to be, taken by the *Kings* of this Realm at
‘ their *Coronation*; as well to confirm, by their Royal
‘ Assent, such good Laws as their People shall choose;
‘ and to remedy, by Law, such Inconveniences as
‘ the *Kingdom* may suffer; as to keep and protect
‘ the Laws already in being. This may appear
‘ both by the Form of the *Oath* upon Record, and
‘ in Books of good Authority, and by the Statute
‘ of the 25th of *Edward III.* intituled, *The Statute*
‘ *of Provisors of Benefices*; the Form of which
‘ *Oath*, and the Clause of that *Statute* concerning it,
‘ are as followeth:

Rot. Parl. An. 1. Hen. IV. N. 17.

FORMA JURAMENTI soliti et consueti præstari,
per REGES ANGLIÆ, in eorum CORONATIONE.

‘ *Servabis Ecclesiæ Dei, Cleroq; & Populo, Pacem*
‘ *ex integro, et Concordiam in Deo, secundum Vires*
‘ *tuas?*

Respondabit, Servabo.

Fa-

(2) It appears by the *Commons Journals* of the 10th of this Month, that there was a Division in the House, upon the Question ‘ Whether this Clause beginning with these Words, *In Conscience, &c.* should stand as Part of this Declaration?’ It was carried in the Affirmative by 203 Voices against 61. This enables us to correct a Mistake of Lord *Clarendon*’s, wherein he says, speaking of the Time of the passing this Declaration, ‘ That, in Debates of the highest Consequence, there was not usually present in the House of *Com-*
mons the Fifth Part of their just Numbers.

‘ *Facies fieri, in omnibus Judiciis tuis, equam & rectam Justitiam, & Discretionem in Misericordia & Veritate, secundum Vires tuas ?* ’

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Respondebit, Faciam.

‘ *Concedis justas Leges & Consuetudines esse tenendas, & promittis, per te eas esse protegendas, & ad Honorem Dei corroborandas, quas Vulgus elegerit, secundum Vires tuas ?* ’

Respondebit, Concedo et promitto.

‘ *Adjicianturq; prædictis Interrogationibus quæ justa fuerint, prænuntiatisq; omnibus, confirmet Rex se omnia servaturum, Sacramento super Altare præstito, coram cunctis.* ’

A CLAUSE in the PREAMBLE of a STATUTE made the 25th of Edward III. intituled, *The Statute of Provisors of Benefices.*

‘ *Whereupon the said Commons have prayed our said Lord the King, that since the Right of the Crown of England, and the Law of the said Realm is such, that, upon the Mischiefs and Damages which happen to his Realm, he ought, and is bound by his Oath, with the Accord of his People in his Parliament, thereof to make Remedy and Law; and in removing the Mischiefs and Damages which thereof ensue, that it may please him thereupon to ordain Remedy:* ’

‘ *Our Lord the King seeing the Mischiefs and Damages beforementioned; and having Regard to the said Statute, made in the Time of his said Grandfather, (a) and to the Causes contained in the same, which Statute holdeth always his Force, and was never defeated, repealed, nor annulled in any Point; and by so much he is bounden by his Oath to cause the same to be kept as the Law of his Realm, tho’ that, by Sufferance and Negligence, it hath been since attempted to the contrary; also having Regard to* ’

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the

(a) The Statute at Carlisle, Anno 35. Edward I. See Vol. I. p. 131, and 274.

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the grievous Complaints made to him by his People, in divers his Parliaments holden heretofore, willing to ordain Remedy for the great Damages and Mischiefs which have happened, and daily do happen, to the Church of England by the said Cause, &c.

Here the Lords and Commons claim it directly, as the Right of the Crown of *England*, and of the Law of the Land, That the King is bound by his *Oath*, with the Accord of his People in Parliament, to make Remedy and Law upon the Mischiefs and Damages which happen to this Realm; and the King doth not deny it, altho' he take Occasion, from a Statute formerly made by his Grandfather, which was laid as a Part of the Ground of this *Petition*, to fix his *Answer* upon another Branch of his *Oath*; and pretermits that which is claimed by the Lords and Commons, which he would not have done if it might have been excepted against.

In Justice they are obliged thereunto, in respect of the Trust reposed in them, which is as well to preserve the Kingdom by the making of new Laws where there shall be need, as by observing of Laws already made. A Kingdom being many Times as much exposed to Ruin for the Want of a new Law, as by the Violation of those that are in being; and this is so clear a Right, that, no Doubt, his Majesty will acknowledge it to be as due unto his People as his Protection; but how far forth he is obliged to follow the Judgment of his Parliament therein, that is the Question. And certainly, besides the Words in the King's *Oath*, referring unto such Laws as the People shall chuse, as in such Things which concern the Public Weal and Good of the Kingdom, They are the most proper Judges, who are sent from the whole Kingdom for that very Purpose; so we do not find, since Laws have passed by way of Bills (which are read thrice in both Houses, and committed, and every Part and Circumstance of

of them fully weighed and debated upon the Com-
mitment, and afterwards passed in both Houses)
that ever the Kings of this Realm did deny them,
otherwise than is expressed in that usual Answer,
Le Roy s'avisera; which signifies rather a Suf-
pension than a Refusal of the Royal Assent (b):
And in those other Laws, which are framed by
Way of *Petition of Right*, the Houses of Parlia-
ment have taken themselves to be so far Judges of
the Rights claimed by them, that when the King's
Answer hath not, in every Point, been fully accord-
ing to their Desire, they have still insisted upon
their Claim; and never rested satisfied till such
Time as they had an Answer according to their own
Demands; as was done in the late *Petition of Right*,
and in former Times upon the like Occasion:
And if the Parliament be Judge between the
King and his People in the Question of *Right*,
(as by the Manner of the Claim in *Petitions of*
Right, and by *Judgments in Parliament*, in Cases
of illegal *Impositions* and *Taxes*, and the like, it ap-
peareth to be) why should they not be so also in
the Question of the *Common Good* and *Necessity*
of the *Kingdom*; wherein the *Kingdom* hath as clear
a Right also to have the Benefit and Remedy of
Law, as in any Thing whatsoever? And yet we
do not deny but in private Bills, and also in pub-
lick Acts of Grace, as *Pardons*, and the like *Grants*
of *Favour*, his Majesty may have a greater Lati-
tude of Granting or Denying, as he shall think
fit.

All this consider'd, we cannot but wonder, That
the Contriver of this *Message* should conceive the
People of this Land to be so void of Common
Sense, as to enter into so deep a Mistrust of those
that they have reposed, and his Majesty ought
to repose, so great a Trust in, as to despair of
any Security in their private Estate, by Descents,
Purchases, Assurances, or Conveyances; unless
his Majesty should, by his *Vote*, prevent the Preju-
dice they might receive therein, by the *Votes* of

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both

(b) See Volume X. p. 517.

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both Houses of *Parliament*: As if they, who are especially chosen and intrusted for that Purpose, and, who themselves, must needs have so great a Share in all Grievances of the Subject, had wholly cast off all Care of the Subject's Good; and his Majesty had, solely, taken it up: And as if it could be imagined, That they should, by their *Votes*, overthrow the Right of Descents, Purchases, or of any Conveyance or Assurance, in whose Judgment the Kingdom hath placed all their particular Interests, if any of them should be called in Question in any of those Cases; and that (as knowing not where to place them with greater Security) without any Appeal from them, to any other Person or Court whatsoever.

But indeed we are very much to seek how the Case of *Hull* should concern Descents and Purchases, or Conveyances and Assurances, unless it be in procuring more Security to Men in their private Interests, by the Preservation of the whole from Confusion and Destruction; and much less do we understand how the *Sovereign Power* was resisted and despised therein: (c) Certainly no Command from his Majesty, and his High Court of *Parliament*, where the *Sovereign Power* resides, was disobeyed by Sir *John Hotham*; nor yet was his Majesty's Authority derived out of any other Court, or by any legal Commission, or by any other Way wherein the Law hath appointed his Majesty's Commands to be derived to his Subjects: And of what Validity his *verbal Commands* are, without any such Stamp of his Authority upon them, and against the Order of both Houses of *Parliament*; and whether the not Submitting thereunto be a Resisting and Despising of the *Sovereign Authority*, we leave it to all Men to judge, that do at all understand the Government of this Kingdom.

We

(c) In our Eighth Volume (p. 117, & seq.) the Reader will find a long Debate, occasioned by a Conference between the two Houses, concerning the Nature and Extent of *Sovereign Power*.

‘ We acknowledge, *That his Majesty hath made* An. 18. Car. 1.
 ‘ *many Expressions of his Zeal and Intentions against* 1642.
 ‘ *the desperate Designs of Papists*; but yet it is also
 ‘ as true, that the Counsels, which have prevailed
 ‘ of late with him. have been little suitable to those
 ‘ Expressions and Intentions: For what doth more
 ‘ advance the open and bloody Design of the Pa-
 ‘ pists in Ireland, (whereon the secret Plots of the
 ‘ Papists here do, in all likelihood, depend) than
 ‘ his Majesty’s absenting himself, in that Manner
 ‘ that he doth, from his Parliament, and setting
 ‘ forth such sharp Invectives against them; not-
 ‘ withstanding the humble *Petitions*, and other
 ‘ Means, which his Parliament hath addressed un-
 ‘ to him for his Return, and for his Satisfaction
 ‘ concerning their Proceedings? And what was
 ‘ more likely to give a Rise to the Designs of *Papists*
 ‘ (whereof there are so many in the *North* near to the
 ‘ Town of *Hull*) and of other malignant and ill-
 ‘ affected Persons, which are ready to join with
 ‘ them, or to the Attempts of Foreigners from a-
 ‘ broad, than the Continuing of that great Magazine
 ‘ at *Hull*, at this Time, contrary to the Desire and
 ‘ Advice of both Houses of Parliament? So that
 ‘ we have too much Cause to believe, that the Pa-
 ‘ pists have still some Way and Means, whereby
 ‘ they have Influence upon his Majesty’s Counsels
 ‘ for their own Advantage.

‘ For the *Malignant Party*, his Majesty needeth
 ‘ not a Definition of the Law, nor yet a more full
 ‘ Character of them from both Houses of Parlia-
 ‘ ment, for to find them out; if he will please only
 ‘ to apply the Character, that himself hath made of
 ‘ them, to those unto whom it doth properly and
 ‘ truly belong, who are so much disaffected to
 ‘ the Peace of the Kingdom, as that they endea-
 ‘ vour to disaffect his Majesty from the Houses of
 ‘ Parliament, and persuade him to be at such a
 ‘ Distance from them both in Place and Affection.
 ‘ Who are more disaffected to the Government of
 ‘ the Kingdom, than such as lead his Majesty away
 ‘ from hearkning to his Parliament, (which, by the
 ‘ Con-

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Constitution of this Kingdom is his greatest and best Council) and persuade him to follow the malicious Counsels of some private Men, in opposing and contradicting the wholesome Advices and just Proceedings of that his most faithful Council and highest Court? Who are they that not only neglect and despise, but labour to undermine the Law, under Colour of maintaining of it, but they that endeavour to destroy the Fountain and Conservatory of the Law, which is the Parliament? And who are they that *set up Rules for themselves to walk by, other than such as are appointed by Law*, but they that will make other Judges of the Law than the Law hath appointed; and so dispense with their Obedience to that which the Law calleth *Authority*, and to their Determinations and Resolutions to whom the Judgment doth appertain by Law? For when private Persons shall make the Law to be their Rule, according to their own Understandings, contrary to the Judgments of those that are competent Judges thereof, they set up unto themselves other Rules than the Law doth acknowledge. Who these Persons are, none knoweth better than his Majesty himself; and if he will please to take all possible Caution of them, as destructive to the Common-Wealth and himself, and would remove them from about him, it would be the most effectual Means to compose all the Distractions, and to cure the Distempers of this Kingdom.

For the Lord Digby's Letter, we did not make Mention of it as a *Ground to hinder his Majesty from visiting his own Fort*; but we appeal to the Judgment of any indifferent Man that shall read that *Letter*, and compare it with the Posture that his Majesty then did, and still doth, stand in towards the Parliament, and with the Circumstances of that late Action of his Majesty in going to *Hull*, whether the Advisers of that Journey intended *only a Visit* of that Fort and Magazine. As to the Ways and Overtures of Accommodation, and the *Message* of the 20th of *January* last, *so often pressed,*

‘*pressed, but still in vain*, as is alledged, our *An. 23. Car. I.*
‘*swer is*, That although, so often as the *Message* of
‘the 20th of *January* hath been pressed, so often
‘have our Privileges been clearly infringed; in that
‘a Way and Method of Proceeding should be pre-
‘scribed unto us, as well for the settling of his Ma-
‘jesty’s Revenue, as for the presenting of our own
‘Desires: A Thing which, in former Parliaments,
‘hath always been excepted against as a Breach of
‘Privilege; yet, in respect of the Matter contained
‘in that *Message*, and out of our earnest Desire to
‘beget a good Understanding between his Majesty
‘and us, we swallowed down all Matters of Cir-
‘cumstance; and had, e’er this Time, presented the
‘chief of our Desires to his Majesty; had we not
‘been interrupted with continual Denials, even of
‘those Things that were necessary for our present
‘Security and Subsistance; and had not those De-
‘nials been followed with perpetual Invectives a-
‘gainst us and our Proceedings; and had not those
‘Invectives been heaped upon us so thick one after
‘another, (who were already in a Manner wholly
‘taken up with the pressing Affairs of this King-
‘dom, and of the Kingdom of *Ireland*) that, as
‘we had little Encouragement from thence to hope
‘for any good *Answers* to our Desires, so we had
‘not so much Time left us to perfect them in such
‘a Manner as to offer them unto his Majesty.

‘We confess it is a Resolution most worthy of
‘a Prince, and of his Majesty, *To shut his Ears a-*
‘*gainst any that would incline him to a Civil War,*
‘*and to abhor the very Apprehension of it*; but we
‘cannot believe that Mind to have been in them
‘that came with his Majesty to the House of Com-
‘mons; or in them that accompanied his Majesty
‘to *Hampton-Court*, and appeared in a warlike
‘Manner at *Kingston upon Thames*; or in divers
‘of them that followed his Majesty now lately to
‘*Hull*; or in them that, after, drew their Swords
‘at *York*, demanding *who would be for the King*;
‘nor in them that advised his Majesty to declare
‘Sir

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Sir *John Hotham* a Traitor, before the *Message* was sent concerning that Business to the Parliament; or to make *Propositions* to the Gentlemen of the County of *York*, to assist his Majesty to proceed against him in a Way of Force, before he had, or possibly could, receive an Answer from the Parliament, to whom he had sent to demand Justice of them against Sir *John Hotham* for that Fact: And if those malignant Spirits shall ever force us to defend our Religion, the Kingdom, the Privileges of Parliament, and the Rights and Liberties of the Subjects, with our Swords, the Blood and Destruction, that shall ensue thereupon, must be wholly cast upon their Account, *God and our own Consciences tell us that we are clear; and we doubt not but God and the whole World will clear us therein.*

For Captain *Legge*, we did not say, *That he was accused, or that there was any Charge against him for the bringing up of the Army*; but that he was employed in that Business. And for that Question concerning the Earl of *Newcastle*, mentioned by his Majesty, which is said *to have been asked long since, and that it is not easy to be answered*; we conceive that it is a Question of more Difficulty, and harder to be answered, Why, when his Majesty held it necessary, upon the same Grounds that first moved from the Houses of Parliament, that a Governor should be placed in that Town, Sir *John Hotham*, a Gentleman of known Fortune and Integrity, and a Person of whom both Houses of Parliament had expressed their Confidence, should be refused by his Majesty; and the Earl of *Newcastle* (who, by the Way, was so far named in the Business of the bringing up of the Army, that although there was not Ground enough for a judicial Proceeding, yet there was Ground of Suspicion; at least his Reputation was not left so unblemish'd thereby, as that he should be thought the fittest Man in *England* for that Employment of *Hull*) should be sent down, in a private

private Way, from his Majesty, to take upon him that Government; and why he should disguise himself under another Name, when he came thither, as he did?

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But whosoever shall consider, together with these Circumstances, that of the *Time* when Sir *John Hotham* was first appointed by both Houses of Parliament to take upon him that Employment; which was presently after his Majesty's Coming to the House of Commons, and upon the retiring of himself to *Hampton-Court*, and the Lord *Digby's* assembling of Cavaliers at *Kingston* upon *Thames*, will find Reason enough why that Town of *Hull* should be committed rather to Sir *John Hotham*, by the Authority of both Houses of Parliament, than to the Earl of *Newcastle*, sent from his Majesty in the Manner that he was: And for the Power that Sir *John Hotham* has from the Houses of Parliament, the better it is known and understood, we are confident the more it will be approved of and justified. And as we do not conceive, That *his Majesty's Refusal* to have that Magazine removed could give any Advantage against him to have it taken from him; and as no such Thing is done, so we cannot conceive for what other Reason any should counsel his Majesty *not to suffer it to be removed*, upon the Desire of both Houses of Parliament; except it be that they had an Intention to make Use of it against the Parliament.

We did not except against those that presented a *Petition* to his Majesty at *York*, for the Continuance of the Magazine at *Hull*, in respect of their Condition, or in respect of their Number, because they were mean Persons, or because they were few; but because they being but a few, and there being so many more in the County of as good Quality as themselves, (who have, by their *Petition* to his Majesty, disavowed that Act of theirs) that they should take upon themselves the Style of *All the Gentry and Inhabitants of that County*; and, under

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der that Style, should presume to interpose their Advice contrary to the *Votes* of both Houses of Parliament; and if it can be made appear, that any of these *Petitions*, that are said to have been presented to the Houses of Parliament, *and to have been of a strange Nature*, were of such a Nature as that before-mentioned, we are confident they were never received with our Consent and Approbation.

Whether there was an *Intention to deprive Sir John Hotham of his Life*, if his Majesty had been admitted into *Hull*; and whether the Information were such, as that he had Ground to believe it, we will not bring it into Question; for that it was not, nor ought to have been, the Ground for doing what he did; neither was the *Number of his Majesty's Attendants*, for being more or fewer, much considerable in this Case: For although it be true, That if his Majesty had entered *with twenty Horse only*, he might haply have found Means to have forced the Entrance of the rest of his Train, who, being once in the Town, would not have been long without Arms; yet that was not the *Ground* that Sir *John Hotham* was to proceed upon; but upon the Admittance of the King into the Town at all, so as to *deliver up the Town and Magazine unto him, and to whomsoever he should give the Command thereof*, without the Knowledge and Consent of both Houses of Parliament, by whom he was *entrusted* to the contrary; and his Majesty having declared that to be *his Intention* concerning the Town, in a *Message* that he sent to the Parliament not long before he went to *Hull*, saying, *That he did not doubt but that Town should be delivered up to him, whensoever he pleased, as supposing it to be kept against him*; and in like Manner concerning the Magazine, in his *Message* of the 24th of *April*; wherein it is expressed, *That his Majesty went thither with a Purpose to take into his Hands the Magazine, and to dispose of it in such a Manner as he should think fit*: Upon these Terms Sir *John Hotham* could not

not have admitted his Majesty, and made good his Trust to the Parliament; though his Majesty would have enter'd alone, without any Attendance at all of his own, or of the Prince or Duke, his Sons; which we do not wish to be less than they are in their Number, but could heartily wish they were, generally, better in their Conditions.

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In the Close of this *Message*, his Majesty states the Case of *Hull*, and thereupon inferreth, *That the Act of Sir John Hotham was levying of War against the King, and consequently that it was no less than High Treason, by the Letter of the Statute of 25. Edward III. Cap. 2. unless the Sense of that Statute be very differing from the Letter thereof.*

In the stating of this Case divers Particulars may be observed, wherein it is not rightly stated; as, *first*, That his Majesty's going to *Hull* was only an Endeavour to visit a Town and Fort of his; whereas it was indeed to possess himself of the Town and Magazine there, and to dispose of them as he himself should think good, without, and contrary to, the Advice and Orders of both Houses of Parliament; as doth clearly appear by his Majesty's own Declaration of his Intention therein, and by his Messages to both Houses, immediately before and after that Journey. Nor can we believe that any Man, that shall consider the Circumstances of that Journey to *Hull*, can think that his Majesty would have gone thither at that Time, and in that Posture he was pleased to put himself in towards the Parliament, if he had intended only a Visit to the Town and Magazine. *Secondly*, It is said to be his Majesty's own Town, and his own Magazine; which being understood in that Sense as was before expressed, as if his Majesty had a private Interest or Property therein, we cannot admit it to be so. *Thirdly*, (which is the main Point of all) *Sir John Hotham is said to have shut the Gates against his Majesty, and to have made Resistance with armed Men in defiance of his Majesty*; whereas it was indeed in Obedience to his Majesty and his Authority, and for his Service, and the Service of the

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the Kingdom ; for which Use only all that Interest is that the King hath in the Town, and it is no farther his to dispose of, than he useth it for that End : And Sir *John Hotbam* being commanded to keep the Town and Magazine for his Majesty and the Kingdom, and not to deliver them up, but by *his Majesty's Authority signified by both Houses of Parliament*, all that is to be understood by those Expressions of his *denying and opposing his Majesty's Entrance*, and telling him, in plain Terms, he should not come in, was only this, That he humbly desired his Majesty to forbear his Entrance till he might acquaint the Parliament, and that his Authority might come signified to him by both Houses of Parliament, according to the Trust reposed in him. And certainly if the Letter of the Statute, of 25. *Edward III. Cap. 2.* be thought to import this, That no War can be levied against the King, but what is directed and intended against his Person ; or that every levying of Forces for the Defence of the King's Authority, and of his Kingdom, against the personal Commands of the King opposed thereunto, though accompanied with his Presence, is levying War against the King, it is very far from the Sense of that Statute ; and so much the Statute itself speaks, besides the Authority of *Book-Cases*, and *Precedents* of divers Traitors condemned upon that Interpretation thereof : For if the Clause of levying War had been meant only against the King's Person, what Need had there been thereof, after the other Branch of Treason, in the same Statute, of compassing the King's Death, which would necessarily have implied this ? And because the former Clause doth imply this, it seems not at all to be intended in this latter Branch ; but only the levying War against the King, that is, against his Laws and Authority ; and the levying War against his Laws and Authority, though not against his Person, is levying War against the King ; but the levying of Force against his personal Commands, though accompanied with his Presence ; and not against his Laws

and

‘ and Authority, but in the Maintenance thereof, is An. 18. Car. I.
‘ no levying of War *against* the King, but *for* him.

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‘ Here is then our Case: In a Time of so many
‘ successive Plots and Designs of Force against the
‘ Parliament and Kingdom; in a Time of probable
‘ Invasion from abroad, and that to begin at *Hull*,
‘ and to take the Opportunity of seizing upon so
‘ great a Magazine there; in a Time of so great
‘ Distance and Alienation of his Majesty’s Affec-
‘ tions from his Parliament, and in them from his
‘ Kingdom which they represent, by the wicked
‘ Suggestions of a few malignant Persons, by whose
‘ mischievous Counsels he is wholly led away from
‘ his Parliament, and their faithful Advice and Coun-
‘ sels: In such a Time, the Lords and Commons in
‘ Parliament commanded Sir *John Hotham* to draw
‘ in some of the Train’d Bands of the Parts adja-
‘ cent to the Town of *Hull*, for the securing of
‘ that Town and Magazine, for the Service of his
‘ Majesty and of the Kingdom; of the Safety where-
‘ of there is a higher Trust reposed in them than any
‘ where else, and they are the proper Judges of the
‘ Danger thereof.

‘ This Town and Magazine being intrusted to
‘ Sir *John Hotham*, with *express Orders* not to deli-
‘ ver them up but by the King’s Authority signified
‘ by both Houses of Parliament; his Majesty, con-
‘ trary to the Advice and Direction of both Houses
‘ of Parliament, without the Authority of any
‘ Court, or of any legal Way wherein the Law ap-
‘ points the King to speak and command, accom-
‘ panied with the same evil Counsels about him that
‘ he had before, by a verbal Command requires Sir
‘ *John Hotham* to admit him into the Town; that
‘ he might dispose of it, and of the Magazine there,
‘ according to his own, or rather according to the
‘ Pleasure of those evil Counsellors, who are still
‘ in so much Credit about him; in like Manner the
‘ Lord *Digby* hath continual Recourse unto, and
‘ Countenance from, the Queen’s Majesty in *Hol-*
‘ land; by which Means he hath Opportunity still
‘ to communicate his traiterous Suggestions and
‘ Con-

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Conceptions to both their Majesties; such as those were concerning *his Majesty's retiring to a Place of Strength, and declaring himself; and his own advancing of his Majesty's Service in such a Way beyond the Seas, and after that resorting to his Majesty in such a Place of Strength*; and divers other Things of that Nature, contained in his Letter to the Queen's Majesty and to Sir *Lewis Dives*; a Person that had not the least Part in this late Business of *Hull*, and was presently dispatched away into *Holland*, soon after his Majesty's Return from *Hull*: For what Purpose we leave the World to judge.

Upon the Refusal of Sir *John Hotbam* to admit his Majesty into *Hull*, presently, *without any due Process of Law*, before his Majesty had sent up the Narration of his Fact to the Parliament, he was proclaimed Traitor; and yet it is said, *That there in there was no Violation of the Subjects Right, nor any Breach of the Law, nor of the Privilege of Parliament*, though Sir *John Hotbam* be a Member of the House of Commons; and *that his Majesty must have better Reason than bare Votes to believe the contrary*. Although the Votes of the Lords and Commons in Parliament, being the Great Council of the Kingdom, are the Reason of the King and of the Kingdom, yet these Votes do not want clear and apparent Reason for them: For if the *solemn Proclaiming a Man a Traitor* signify any Thing, it puts a Man, and all those that any Way aid, assist, or adhere unto him, into the same Condition of Traitors, and draws upon him all the Consequences of Treason; and if this may be done *by Law, without due Process of Law*, the Subject hath a very poor Defence of the Law, and a very small, if any, Proportion of Liberty thereby: And it is as little Satisfaction to a Man that shall be exposed to such Penalties, by that Declaration of him to be a Traitor, to say, *He shall have a legal Trial afterwards*, as it is to condemn a Man first and try him afterwards: And if there can be a Necessity for any such Pro-
claiming

claiming a Man a Traitor without due Process of Law, yet there was none in this Case; for his Majesty might have as well expected the Judgment of the Parliament, which was the right Way, as he had Leisure to send to them to demand Justice against Sir *John Hotham*. And the Breach of Privilege of Parliament is as clear, in this Case, as the Subversion of the Subjects Common Right: For though the Privileges of Parliament do not extend to those Cases, mentioned in the *Declaration*, of Treason, Felony, and Breach of the Peace, so as to exempt the Members of Parliament from Punishment, nor from all Manner of Process and Trial, as it doth in other Cases; yet it doth privilege them in the Way and Method of their Trial and Punishment, and that the Parliament should have the Cause first brought before them, that they may judge of the Fact and of the Grounds of the Accusation, and how far forth the Manner of their Trial may concern, or not concern, the Privilege of Parliament; otherwise it would be in the Power, not only of his Majesty, but of every private Man, under Pretence of Treason, or those other Crimes, to take any Man from his Service in Parliament, and so as many, one after another, as he pleaseth; and, consequently, to make a Parliament what he will, and when he will; which would be a Breach of so essential a Privilege of Parliament, as that the very Being thereof depends upon it: And therefore we no ways doubt, but every one that hath taken the *Protestation*, will, according to his solemn *Vow* and *Oath*, defend it with his Life and Fortune. Neither doth the Sitting of a Parliament suspend all, or any Law, in maintaining that Law which upholds the Privilege of Parliament, which upholds the Parliament, which upholds the Kingdom: And we are so far from believing *That his Majesty is the only Person against whom Treason cannot be committed*, that, in some Sense, we acknowledge he is the only Person against whom it can be committed; that is, as he is King; and that Treason which

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is against the Kingdom is more against the King, than that which is against his Person, because he is King: For that very Treason is not Treason as it is against him *as a Man*; but *as a Man that is a King*, and as he hath Relation to the Kingdom, and stands as a Person intrusted with the Kingdom, and discharging that Trust.

Now the Case is truly stated, and all the World may judge where the Fault is; although we must avow, that there can be no competent Judge of this, or any the like Case, but a Parliament; and we are as confident, that his Majesty shall never have Cause to resort to any other Court, or Course, for the Vindication of his just Privileges, and for the Recovery and Maintenance of his known and undoubted Rights, if there should be any Invasion or Violation thereof, than to his High Court of Parliament. And in case those wicked Counsellors about him shall drive him into any other Course, from and against his Parliament; whatever are his Majesty's Expressions and Intentions, we shall appeal to all Men's Consciences, and desire that they would lay their Hands upon their Hearts, and think with themselves, whether such Persons, as have of late, and still do resort to his Majesty, and have his Ear and Favour most, either have been, or are more zealous Assertors of the true *Protestant Profession*, (although we believe they are more earnest in the *Protestant Profession*, than in the *Protestant Religion*) or of the Law of the Land, the Liberty of the Subject, and the Privileges of Parliament, than the Members of both Houses of Parliament, who are insinuated to be the Deserters, if not the Destroyers of them: And whether, if they could master this Parliament by Force, they would not hold up the same Power to deprive us of all Parliaments; which are the Ground and Pillar of the Subjects Liberty, and that which only maketh *England* a free Monarchy.

For the *Order of Assistance* to the Committees of both Houses; as they have no *Directions* or *Instructions*, but what have the Law for their Limits,

mits, and the Safety of the Land for their Ends ; An. 18 Car. 1.
 so we doubt not but all Persons mentioned in that
 Order, and all his Majesty's good Subjects will yield
 Obedience to his Majesty's Authority signified
 therein by both Houses of Parliament : And that all
 Men may the better know their Duty in Matters
 of that Nature, and upon how sure a Ground
 they go that follow the Judgment of Parliament
 for their Guide, we wish them, judiciously, to
 consider the true Meaning and Ground of that
 Statute, made in the Eleventh Year of *Henry VII.*
 Cap. 1. which is printed at large in the End of
 his Majesty's *Message* of the fourth of *May* —
 This Statute provides, *That none that shall attend*
upon the King, and do him true Service, shall be at-
tainted or forfeit any Thing. What was the Scope
 of this Statute ? To provide that Men should not
 suffer as Traitors for serving the King in his Wars,
 according to the Duty of their Allegiance ? If this
 had been all, it had been a very needless and ri-
 diculous Statute. Was it then intended, (as they
 may seem to take the Meaning of it to be, that
 caused it to be printed after his Majesty's *Message*)
 that they should be free from all Crime and Pe-
 nalty who should follow the King, and serve him
 in War, in any Case whatsoever ; whether it were
 for or against the Kingdom, and the Laws thereof ?
 That cannot be, for that could not stand with
 the Duty of their Allegiance ; which, in the Be-
 ginning of this Statute, is expressed to be, *to serve*
the King for the Time being in his Wars, for the
Defence of him and the Land ; and therefore if it
 be against the Land, (as it cannot be understood
 to be otherwise, if it be against the Parliament,
 the Representative Body of the Kingdom) it is a
 Declining from the Duty of Allegiance ; which
 this Statute supposeth may be done, though Men
 should follow the *King's Person* in the War : O-
 therwise there had been no Need of such a Pro-
 viso in the End of this Statute, *That none should*
take Benefit thereby, that should decline from their
Allegiance. That therefore which is the principal
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View in this Statute, is, *The Serving of the King for the Time being*; which cannot be meant of a *Perkin Warbeck*, or any that should call himself King; but such a one as, whatever his Title might prove, either in himself or in his Ancestors, should be received and acknowledged for such by the Kingdom, the Consent whereof cannot be discerned but by Parliament; the Act whereof is the Act of the whole Kingdom, by the Personal Suffrage of the Peers, and the Delegate Consent of all the Commons of *England*: And *Henry VII.* a wise King, considering that what was the Case of *Richard III.* his Predecessor, might, by Chance of Battle, be his own; and that he might at once, by such a Statute as this, satisfy such as had served his Predecessor in his War, and also secure those that should serve him; who might otherwise fear to serve him in the Wars, lest, by Chance of Battle, that might happen to him also, (if a Duke of *York* had set up a Title against him) which had happened to his Predecessor, he procured this Statute to be made, *That no Man should be accounted a Traitor for serving the King in his Wars for the Time being*; that is, which was for the present allowed and received by the Parliament on Behalf of the Kingdom; and, as it is truly suggested in the Preamble of the Statute, it is not agreeable to Reason or Conscience that it should be otherwise; seeing Men would be put upon an Impossibility of knowing their Duty, if the Judgment of the Highest Court should not be a Rule and Guide to them: And if the Judgment thereof should be followed, where the Question is, *Who is King?* Much more, *What is the best Service of the King and Kingdom?* And therefore those that shall guide themselves by the Judgment of Parliament, ought, whatever happen, to be secure and free from all Account and Penalties, upon the Grounds and Equity of this very Statute.

We shall conclude: That although those wicked Counsellors about his Majesty have presumed, under

‘ under his Majesty’s Name, to put that Dishonour An. 18. Car. 1.
 ‘ and Affront upon both Houses of Parliament, as 1642.
 ‘ to make them the Countenancers of Treason; May.
 ‘ enough to have dissolved all the Bands and Sinews
 ‘ of Confidence between his Majesty and his Parlia-
 ‘ ment, of whom the Maxim of the Law is, *That a*
 ‘ *dishonourable Thing ought not to be imagined of them;*
 ‘ yet we doubt not but it shall, in the End, appear
 ‘ to all the World, that our Endeavours have been
 ‘ most hearty and sincere, for the Maintenance of
 ‘ the true *Protestant* Religion, the King’s *just Pre-*
 ‘ *rogative*, the *Laws* and *Liberties* of the *Land*,
 ‘ and the *Privileges* of *Parliament*; in which
 ‘ Endeavours, by the Grace of God, we will still
 ‘ persist, though we should perish in the Work;
 ‘ which, if it should be, it is much to be feared,
 ‘ That *Religion, Laws, Liberties, and Parliaments,*
 ‘ would not be long-lived after us.

May 27. This Day there was a Report made in Orders of Parlia-
 the House of Lords, of a Conference held the Day ment against re-
 before, in which the Commons desired, That since moving the Re-
 they were informed of the King’s Resolution to re- cords to York,
 move the next Term to *York*, some Course might
 be taken to prevent the Removal of the Records, at
Westminster, to that Place. Agreed to; and an *Order*
 was sent to all the Keepers of the Records, for that
 Purpose.

They proposed, That a Committee of Lords
 might be appointed to join with one of their House,
 to consider of some fit Means for the present De-
 fence of the Kingdom. A Committee of twelve
 Lords was appointed accordingly.

They also informed the Lords that they had re-
 ceived Letters from Sir *John Hotham*, and others, by
 which their Lordships might see the Malignant
 Party were still working Designs to disturb the Peace
 of the Kingdom. Then a Letter from Sir *John* And for sending
Hotham to Mr. *Hampden*, was read, dated *May* for Delinquents.
 the twenty-fifth, containing a Design, by one *Beck-*
with and others, to surprize the Town of *Hull*;
 also another from the Mayor of *Beverley*, to the

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The Lords examined several Messengers, sent down to take into Custody the Gentlemen who signed a late *Petition* to the King, against removing the Magazine from *Hull*. (d) These declared, That they had served them all with the *Order*, most of them personally; and that those had shewn them the King's *Warrant* for not obeying that *Order*. A Copy of one of the *Warrants* was read as follows:

CHARLES R.

The King's
Warrant, forbid-
ing Obedience
to the latter.

WE strictly charge and command you, Francis Wortley, Knt. upon your *Allegiance*, and upon Pain of our heavy Displeasure, not to go or remove out of this County, upon any Occasion or Command whatsoever; but to stay and abide therein, to attend our Service, as we shall direct. And hereby we likewise charge all our Subjects and Officers, of what Quality soever, to forbear arresting or attaching you, Francis Wortley, as they will tender our Royal Resentment at their Peril.

Dated at our Court at York, April 28, 1642.

The same Day the Commons sent up a Copy of some *Instructions* to the Committees of both Houses, appointed to go down into *Lincolnshire* and to *Hull*; which were agreed to by the Lords, and were as follows:

INSTRUCTIONS for Sir Edward Ayscough, Knt. Sir Christopher Wray, Sir Anthony Irby, Sir John Wray, Sir William Armin, Mr. Hatcher, and Mr. Broxbolme, Committees of the House of Commons assembled in Parliament, or to any three of them.

Further Instruc- I. **YOU** shall, in the Name of us the Lords and Com-
tions from the mons, declare and publish unto the Sheriff of
Parliament, to the County of Lincoln. the Knights, Gentlemen, and
their Commis- others, his Majesty's Subjects in that County, That
sioners in Lincoln- shire and at Hull. Sir

(d) This *Petition*, with the Names of the principal Subscribers to it, is in our Tenth Volume, p. 454.

Sir John Hotham was, by us, commanded to secure the Town of Kingston upon Hull, and the Magazine there, for his Majesty's Service and the Peace of the Kingdom; which, otherwise, would have been much endangered: And that, upon the same Reason, what hath since been there done by him, hath been necessary in pursuance of those Directions; and is by us avowed, and approved of, as warranted by the Authority of Parliament.

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II. You shall further take Care, that such Resolutions and Orders of both Houses, as have been, or shall be, sent down, be put in Execution; and shall require the Sheriff, Justices of Peace, and all other his Majesty's Officers and loving Subjects, to be aiding and assisting unto you for that Purpose.

III. You shall take Care, that no Forces be raised for the Forcing the Town of Hull, or otherwise to disturb the Peace of the Kingdom: And, in case any be raised, you shall require the Sheriff, in the Name of both Houses, to command them to disperse themselves; and, if they refuse so to do, that then the Sheriff, by the same Authority, forthwith raise the Power of the County for suppressing of them; and you shall likewise, by the same Authority, require the Lord Lieutenant appointed by the Ordinance of Parliament, and, in his Absence, the Deputy-Lieutenants, to draw together the Trained-Bands, for the Assistance of the Sheriff in so doing.

IV. Because it is not improbable that, under Pretence of raising a Guard for his Majesty's Person, the Knights, Gentlemen, Freeholders, and others of the Inhabitants, may be drawn together in the County of Lincoln, as we hear they have been in other Places; you shall declare unto them and all others, That it hath ever been, and still shall be, the chief Care and Endeavour of the Parliament to provide for his Majesty's Safety: That they do not know of any Evil intended to his Royal Person, which should move him to take such a Course: That his greatest Safety is in the Affection, Duty, and faithful Advice of his Parliament: And his greatest Danger in thus Withdrawing himself from them, and proceeding in Ways contrary unto them

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them; so that the disaffected and malignant Party, under Colour of this Service, go about to raise a Faction and a Party against the Parliament; which, at last, may break out into open Rebellion, to the Destruction of the King and People, if it be not (through the Blessing of God) prevented by the Wisdom and Authority of Parliament.

V. That, in case there be a Necessity of raising the Forces of the County for the suppressing of any Insurrection and keeping the Peace, you shall require Sir John Hotham to deliver such Proportion of Arms and Ammunition out of the Magazine at Hull, as shall be necessary for that Service; and you shall declare, That the Parliament holds it lawful and necessary to dispose of the public Magazines of the Kingdom, for the Defence of the Kingdom; as likewise for the Suppression of the Rebellion in Ireland, which doth so much concern the Safety of this Kingdom: But that it is their Intention, and Resolution, to store them again; as holding it fit that such a Preparation should be in Readiness, upon all Occasions, for the Service of the King and Defence of the Common Wealth.

VI. You shall endeavour to clear the Proceedings of the Parliament, from all Imputations and Aspersions; and shall, from Time to Time, certify us of all Things you conceive necessary for the present Service: And, that we may have a speedy Account of it, and that our Directions to you, as well as your Advertisements to us, may have a clear and ready Passage, you shall lay a strict Charge upon all Postmasters, that they do not suffer any Letters, or other Dispatches, to or from the Parliament, to be intercepted or stayed: And, if any shall presume to make such Stay of those Dispatches, you shall direct the Postmasters to repair to the Justices of the Peace, Constables, and all other Officers, for their Aid and Assistance; who are, hereby, required to take special Care there may be no such Interruption.

VII. Those of you that are Commissioners for Hull shall repair there, as often as you shall see it needful for the Preservation of that Town.

VIII. You shall be careful to require the Lord Willoughby of Parham, Lord-Lieutenant of the County of

of Lincoln, to send such Numbers of the Trained-Bands and others, for the Safeguard of the Town of Hull, as you shall conceive to be needful; according to the Order made by both Houses in that Behalf.

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IX. You shall take the best Courses that may be, that all needful Provisions be sent to the Supply of the Market at Hull, as it is usual, without any Stop or Interruption by Water or Land.

X. And, if you shall find any disaffected Persons raising any Parties or Factions against the Parliament, or spreading any Scandals or Aspersions upon their Proceedings, like to disturb the Peace of the Kingdom; you shall cause all such Persons, upon good Proof of their Misdemeanors, to be arrested and sent up to answer their Offences, as to Law and Justice shall appertain.

XI. You shall observe and execute all such further Directions and Instructions, as you shall, from Time to Time, receive from both Houses of Parliament.

XII. Whereas it doth appear to the Lords and Commons, that the King, seduced by wicked Counsel, intends to make War against the Parliament: Therefore, if any Person whatsoever shall endeavour to levy any Soldiers, or to draw together any of the Trained-Bands, by Colour or Pretence of any Commissions from his Majesty, under the Great Seal or otherwise, you shall require a Copy of such Warrant and Command; and you shall in the Name, and by the Authority, of both Houses of Parliament, require such Persons to forbear the Execution of any such: And you shall command and require all his Majesty's Subjects to forbear to obey any such Command, till you shall have sent up the Copy thereof to the Parliament, and receive further Directions from the Lords and Commons therein: It is also ordered by the Lords and Commons in Parliament, That Francis Lord Willoughby of Parham, Lord Lieutenant of the County of Lincoln, shall be careful, from Time to Time, to supply and relieve the Town of Hull; and that, upon any Letter or Request made unto him by Sir John Hotham, Knt. and Bart. or any four of the Committee of both Houses there residing.

XIII.

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XIII. *Whereas, by Order of the Lords and Commons in Parliament, made the 28th Day of April last, the Earl of Stamford, the Lord Willoughby of Parham, Sir Edward Ayscough, Sir Christopher Wray, Sir Samuel Owfield, and Mr. Hatcher, were appointed to repair to the County of Lincoln, and from thence to Kingston upon Hull; and, if there should be Occasion, to any other Part of Yorkshire, for the Performance of certain Instructions therein expressed, as by that Order, and Instructions thereunto annexed, doth and may appear: It is this Day ordered, That the former Order above mentioned shall still continue in Force, and that Sir William Strickland, Mr. Allured, Mr. John Hotham, Mr. Peregrine Pelham, and Mr. Wharton, shall be added to the former Committee; and that the said Earl of Stamford, the Lord Willoughby of Parham, Sir Edward Ayscough, Sir Christopher Wray, Sir Samuel Owfield, Mr. Hatcher, Sir William Strickland, Mr. Allured, Mr. John Hotham, Mr. Peregrine Pelham, and Mr. Wharton, or any four of them, shall have full Power to put the said forementioned Order and Instructions into Execution: As likewise the Instructions under written, and all other Instructions which they shall hereafter receive from both Houses of Parliament.*

1st, *They shall assist Sir John Hotham, Knt. and Bart. Governor of Hull, with their best Counsel and Advice, and by all other Means, for the safe Keeping of that Town for the Security of the King and Kingdom, in such Manner as shall be requisite.*

2dly, *They shall take Care to write to the Lord-Lieutenant of Lincolnshire, to send into Hull, for the Defence thereof, such further Supplies of Trained-Bands and others, as they find needful for the Preservation of the Town.*

3dly, *They shall be careful, That the Remainder of the Magazine, thought fit to be stayed there for the Defence of that Town, be preserved from Wastes and Embezzling; and that a perfect Account shall be kept of whatsoever Arms, Powder, or Ammunition, shall*

shall be taken out by Warrant from the Governor, and An. 18. Car. I.
how the same is employed. 1642.

4thly, If the Ships laden with the Magazine be not gone, you are to hasten it as much as may be, and you shall require the Captains of the other two Ships appointed for the better Security of Hull to remain there, and diligently to attend their Charge: And you shall let those Captains know, as likewise the other Officers and the Companies of the said Ships, how well their Readiness in this Service of the King and Kingdom is taken by both Houses of Parliament, and you shall give them therein all due and fit Encouragement.

May.

5thly, Whereas there was, heretofore, an Order made, That 500 Arms, half of them Pikes and Corslets, and the other half Muskets, borrowed of the County of Lincoln, and employed in his Majesty's Service at Berwick, should be restored out of the Magazine at Hull, according to his Majesty's Promise and Direction in that Behalf.

6thly, You shall desire Sir John Hotham to give present Order that the like Number of Arms, that is, 250 Pikes and Corslets, and 250 Muskets, with Swords and other Furniture appertaining to so many Pikes, Corslets, and Muskets, shall be forthwith delivered to such Person, or Persons, as shall be appointed by the Lord-Lieutenant of the County of Lincoln, or any two of the Deputy-Lieutenants thereof.

In the Afternoon of this Day (May 27.) a *Mes-* A Committee
sage was brought up from the House of Commons, appointed to con-
sider of Means
to prevent a Ci-
vil War.
to desire that the Joint-Committee, before appointed to consider of proper Means for the present Defence of the Kingdom, might have Power to take into Consideration all Things to procure and preserve the Peace thereof, and to prevent a Civil War. Agreed to by the Lords:—Accordingly,

The next Day the Earl of Northumberland, from the said Committee, exhibited a Draught of some Propositions, fit to be presented to the King; which were commanded to be read, and some Alterations were made in them. They were then but fourteen in all, but being sent down to the Commons, they were

An. 18. Car. 1. were by them increased to nineteen Articles, as will be shewn in their proper Place.

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May.

Orders to stop all Arms and Ammunition going to York.

An Order was agreed to by both Houses, directed to the Sheriffs and others of the several Counties, within 150 Miles of *York*, to take Care to stop all Arms and Ammunition carrying to that Place. Likewise another to suppress the Raising and Coming together of any Soldiers, Horse or Foot, by any *Warrant, Order, or Commission*, from the King, &c. The Preamble to these Orders begins thus, *Whereas it appears that the King, seduced by wicked Counsel, intends to make War against his Parliament, and, under Colour of a Guard, doth command Troops, both of Horse and Foot, to assemble at York, &c. (c)*

The Magazine of Hull brought to London.

May 30. The Lords were informed by the Lord Admiral, That he had received a Letter from the Earl of *Warwick*, by the Captains of the Ships which brought the Magazine from *Hull* to *London*, that the said Captains desire to be discharged from any further Care of it; and he moved that a Warrant might be granted for receiving the said Magazine into the *Tower*. The Captains were called in, and, after having the Thanks of the Lords, for their Care and Diligence in this Matter, they were recommended, with their Seamen, to the Commons, for some Gratuity, to encourage others to do the like.

A Petition from the Lord-Keeper *Littleton* was read, which was in these Words:

To the Right Honourable the LORDS assembled in Parliament,

The HUMBLE PETITION of EDWARD LITTLETON, Lord-Keeper of the Great Seal,

Sheweth,

Lord Keeper Littleton's Petition to the Lords.

THAT, in his Person, he is very willing to submit to your Lordships Order of the twenty-third of this Instant May, so far as is possible for him to perform

(c) These Orders are at length in *Rushworth*, Vol. IV. p. 721, 2. and in *Husband's Collections*, p. 399, &c.

form, he being in so weak a Condition of Body, as appears by the Affidavit annexed, that he is not able to travel towards Westminster without Danger of his Life: And further beseecheth your Lordships to be informed of this Truth. That Saturday last, about Two o'Clock in the Afternoon, was the first Time that he ever heard of his going to York; when he received his Majesty's Commands, under his Sign Manual and Privy Signet, to take his Journey immediately, without Reply or Delay, towards York, and keep the same secret, whereunto he was enjoin'd upon his Allegiance and Fidelity, and other Obligations; which he taking into his Consideration, with his Oaths formerly taken, conceived he was bound in Conscience to obey; and doth humbly beg your Lordships Pardon for not asking Leave, which he could not possibly do, the House not sitting till Monday, and himself enjoin'd to take his Journey instantly. And he further taketh the Boldness to inform your Lordships, That the King's Majesty hath expressly commanded him, upon his Allegiance, not to depart from him. And, lastly, beseecheth your Lordships to continue him in your good Opinion untill he shall advise, or consent unto, any thing against the public Good of this Common-Wealth; and he shall daily pray for your Lordships Increase of Happiness. (f)

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EDW. LITTLETON.

The AFFIDAVIT above referred to.

Tobias Peaker, Servant to the Lord-Keeper, maketh Oath, That upon Monday Night last, being the 23d Day of this Instant May, he conceived that his Lord would then have died; and that he is at present troubled with divers Infirmities and Diseases, so that he is not able to travel without endangering of his Life.

The Consideration of this *Petition* was deferred to another Time.

Then

(f) The Allegations in this *Petition*, compared with the foregoing *Narrative* of what pass'd between the Lord-Keeper and Mr. Hyde, previous to their journey to York, fully evidence his Lordship to have been no bad Politician.

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Then the Lord *Wharton*, Speaker of the House of Peers in the Absence of the Lord-Keeper, acquainted the Lords that he had received a *Letter* from the King, commanding him to communicate the inclosed to them; which was an *Answer* to a *Petition* of both Houses, concerning the disbanding of his Guard, which had been presented to him at *York*, *May* 22, along with those *Voices* of both Houses wherein it was *declared*, That the King intended to make War against the Parliament. — The *Answer* was in these Words:

The King's Answer to the Parliament's Petition for disbanding his Guard.

WE cannot but extremely wonder, that the causeless Jealousies concerning us, raised and fomented by a Malignant Party in this Kingdom, which desires nothing more than to snatch to themselves particular Advantages out of a general Combustion, (which Means of Advantage shall never be ministred to them by our Fault or Seeking) should not only be able to seduce a weak Party in this our Kingdom, but seem to find so much Countenance even from both Houses; as that our Raising of a Guard, without further Design than for the Safety of our Person, (an Action so legal, in Manner so peaceable, upon Causes so evident and necessary) should not only be looked upon, and petitioned against by them, as a Cause of Jealousy, but declared to be the Raising of a War against them, contrary to our former Professions of our Care of Religion and Law. And we no less wonder, that this Action of ours should be said (in a very large Expression) *to be apprehended by the Inhabitants of this Country, as an Affrightment and Disturbance to our People*, having been as well received here, as it is every where to be justified; and (we speak now of the General, not of a few seduced Particulars) assisted and sped by this Country, with that loyal Affection and Alacrity as is a most excellent Example set to the rest of the Kingdom, of their Care of our Safety upon all Occasions; and shall never be forgotten by us, nor, we hope, by our Posterity; but shall be ever
paid

paid to them in that which is the proper Expression of a Prince's Gratitude, a perpetual vigilant Care to govern them justly, and to preserve the only Rule by which they can be so governed, the Law of the Land. And we are confident, that if you were yourselves Eye-Witnesses, you would so see the contrary, as to give little present Thanks, and hereafter little Credit, to your Informers: And if you have no better Intelligence of the Inclinations and Affections of the rest of the Kingdom, certainly the Minds of our People (which to some Ends and Purposes you represent) are but ill represented unto you.

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Have you, so many Months together, not contented yourselves to rely for Security (as your Predecessors have done) upon the Affection of the People; but, by your own single Authority, raised to yourselves a Guard, and that sometimes of no ordinary Numbers, and in no ordinary Way; and could not all those Pikes and Protestations, that Army on one Side, and that Navy on the other, persuade us to command you to disband your Forces, and to content yourselves with your ordinary (that is, with no) Guard; or work in us an Opinion, that you appeared to levy War against us, or had any further Design? And is it possible that the same Persons should be so apt to suspect and condemn us, who have been so unapt, in the same Matter, (upon much more Ground) to tax or suspect them? This is our Case, notwithstanding the Care and Fidelity of our Parliament; our Fort is kept by armed Men, against us; our proper Goods, first detained from us, and then, contrary to our Command, by strong Hand, offered to be carried away; in which, at once, all our Property, as a private Person, and all our Authority, as a King, are wrested from us: And yet for us to secure ourself in a legal Way, that Sir John Hotham may not by the same Forces, or by more raised by Pretence of the same Authority; (for they say he raiseth daily some, and we know it no new Thing for him to pretend Orders that

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that he cannot shew) continue the War that he hath levied against us, and as well imprison our Person, as detain our Goods; and as well shut us up in *York*, as shut us out of *Hull*, is said to be esteemed a Cause of great Jealousy to the Parliament; a Raising War against them; and of Danger to the whole Kingdom; while these Injustices and Indignities offered to us are countenanced by them, who ought to be most forward in our Vindication and their Punishment, in Observance of their Oaths and of the Trust reposed in them by the People, and to avoid the Dissolution of the present Government: Upon which Case the whole World is to judge, whether we had not Reason, not wholly to rely upon the Care and Fidelity of our Parliament, (being so strangely blinded by malignant Spirits, as not to perceive our Injuries) but to take some Care of our own Person; and, in order to that, to make Use of that Authority which the Laws declare to be in us: And whether this *Petition*, with such a threatening Conclusion, accompanied with more threatening *Votes*, gives us not Cause rather to increase than diminish our Guard; especially since we saw, before the *Petition*, a printed Paper, dated the 17th of *May*, underwritten, *Hen. Elsing, Cler. Parl. D. Com.* commanding, in the Name of both Lords and Commons, the Sheriffs of all our Counties to raise the Power of all those our Counties; to suppress such of our Subjects, as, by any of our Commands, shall be drawn together, and put (as that *Paper* calls it) in a Posture of War; charging our Officers and Subjects to assist them in the Performance thereof, at their Perils: For though we cannot suspect that this *Paper* (or any bare *Votes*, not grounded upon Law or Reason, or Quotation of repealed Statutes) should have any ill Influence upon our good People; who know their Duties too well, not to know, That to take up Arms against those, who, upon a legal Command, (that is, ours) come together to a most legal End, (that is, our Security and Preservation) were to
levy

levy War against us; and who appear in this County (and we are confident they are so throughout the Kingdom) no less satisfied with the Legality, Conveniency, and Necessity of these our Guards, and no less sensible of the Indignities and Dangers which makes it necessary, than we are ourself; yet if that *Paper* be really the Act of both Houses, we cannot look upon it, but as the highest of Scorns and Indignities; first, to issue Commands of Force against us, and, after those have appeared useles, to offer, by *Petition*, to persuade us to that which that Force should have effected.

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We conclude this *Answer* to your *Petition*, with our Counsel to you, That you join with us in exacting Satisfaction for that unparallel'd, and yet unpunished, Action of Sir *John Hotham*; and that you command our Fort and Goods to be returned to our own Hands: That you lay down all Pretences (under Pretence of Necessity, or declaring what is Law) to make Laws without us, and, by consequence, make a Cypher of us: That you declare effectually against Tumults, and call in such Pamphlets (punishing the Authors and Publishers of them) as, seditiously, endeavour to disable us from protecting our People; by weakening, by false Aspersions, and new false Doctrines, our Authority with them, and their Confidence in us. The Particulars of which Tumults and Pamphlets we would, long since, have taken Care that our learned Counsel should have been enabled to give in Evidence, if, upon our former Offer, we had received any Return of Encouragement from you in it. And if you do this, you then (and hardly till then) will persuade the World, That you have discharged your Duty to God, the Trust reposed in you by the People, and the Fundamental Laws and Constitutions of the Kingdom, and employed your Care and utmost Power to secure the Parliament, (for we are still a Part of the Parliament, and shall be, till this well-founded Monarchy

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chy be turned to a Democracy) and to preserve the
Peace and Quiet of the Kingdom; which, together
with the Defence of the Protestant Profession, the
Laws of the Land, and our own just Prerogative,
(as a Part of and a Defence to those Laws) have
been the main End, which, in our Consultations
and Actions, we proposed to ourself.

The same Day Mr. *Pickering*, a Messenger, declared, upon Oath, what Lords he saw at *York*, and what he met going thither (*g*); on which it was ordered, That the said Lords should be sent for to appear here, on the 8th Day of *June* next, or else the House would proceed to give Judgment against them for their Offence.

May 31. Both the Houses had been busy some Time, in putting into Execution their Ordinance for raising the *Militia*, in all the Southern Counties of *England*; and they, every Day, received Intelligence of the different Musters made of them. Several Accounts of which are in this Day's Transactions of the Lords, but nothing else of Moment done by them.

A Committee appointed to borrow Money of the Citizens of London.

The Commons being still in great Distress for Want of Money, it was this Day ordered, That a Message be sent to the Lords, to desire that a Committee of both Houses might be appointed to go to the City, and represent to them the great Necessity they were in, at this Time, for present Money; to inform them of the Sum required, and the Security for it; and to desire that these Necessities might be recommended to the particular Wards of the City. Ordered, also, That some Members of this House be sent to the Lord Mayor, to desire him to call a Common Hall, to meet on *Thursday* next, the second of *June*.

June

(*g*) The Earls of *Monmouth* and *Devonshire*, the Lords *Grey de Ruthyn*, *Howard de Charlton*, and *Capel*, after having entered their Dissents against the Declaration of the 26th of *May*, left the House, and join'd the King at *York*. The Names of the other Lords who had gone off some Time before, appears by the foregoing List.

June 1. At a Conference, the Commons exhibited an *Order* they had made against the Pawning or Selling the Jewels of the Crown: To this the Lords agreed; an Abstract of which is as follows:

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Whereas it doth appear to the Lords and Commons in Parliament, That the King, seduced by wicked Counsel, doth intend to levy War against his Parliament; and that the Jewels of the Crown, which, by the Laws of the Land ought not to be alienated, are either pawned or sold in *Amsterdam*, or some other Parts abroad; and thereby great Sums of Money provided, to be returned to *York*, to the King's Servants, or Agents, for his Use. And whereas it is more than probable, that this great Provision of Money, in such an extraordinary Way, is to maintain their intended War, and thereby to bring the whole Kingdom into utter Ruin and Confusion: It is therefore declared, by the Lords and Commons in Parliament, that whosoever hath been, or shall be, an Actor in the Selling or Pawning any of the said Jewels, or shall bring any Money in Specie into the Kingdom, or shall accept of any Bill from abroad, for the Payment of any Sum of Money for or upon any of those Jewels, and shall pay such Sum according to such Bill, after Notice of this *Order*, &c. such Person shall be held a Promoter of this present War, and an Enemy to the State; and ought to give Satisfaction, out of his own Estate, to the Public.

Order of Parliament against the King's disposing of the Jewels of the Crown.

Ordered, also, That the Lord-Admiral be required to send two Ships of War to lie at *Scarborough* and *Tinmouth*, to search all Ships for Arms and Ammunition, coming from foreign Parts without Consent and Privy of both Houses of Parliament.

A Committee of Lords and Commons were ordered to go to the Common-Hall of the City, as this Day, for a considerable Loan of Money from the Citizens; the Sum not mentioned.

This Day, also, a *Petition*, with Nineteen *Propositions* annexed, was agreed on, by both Houses, to be

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I. sent to their Committee at *York*, to be by them presented to the King, as a Foundation for a final End of all Differences between them. All which ran in *hæc Verba*:

The HUMBLE PETITION and ADVICE of both Houses of PARLIAMENT, with Nineteen PROPOSITIONS sent unto his MAJESTY, the third of June, 1642.

Their Nineteen Propositions to the King.

‘**Y**OUR Majesty’s most humble and faithful Subjects, the Lords and Commons in Parliament, having nothing in their Thoughts and Desires more precious and of higher Esteem (next to the Honour and immediate Service of God) than the just and faithful Performance of their Duty to your Majesty and this Kingdom; and being very sensible of the great Distractions and Distempers, and of the imminent Dangers and Calamities which those Distractions and Distempers are like to bring upon your Majesty and your Subjects: All which have proceeded from the subtle Insinuations, mischievous Practices, and evil Counsels of Men disaffected to God’s true Religion, your Majesty’s Honour and Safety, and the Public Peace and Prosperity of your People; after a serious Observation of the Causes of those Mischiefs, do, in all Humility and Sincerity, present to your Majesty their most dutiful Petition and Advice, That out of your princely Wisdom, for the establishing your own Honour and Safety, and gracious Tenderness of the Welfare and Security of your Subjects and Dominions, you will be pleased to grant and accept these their humble Desires and Propositions; as the most necessary and effectual Means, thro’ God’s Blessing, of removing those Jealousies and Differences which have unhappily fallen betwixt you and your People, and procuring both your Majesty and them a constant Course of Honour, Peace, and Happiness.

I. *That the Lords and others of your Majesty’s Privy Council, and such great Officers and Ministers of State, either*

either at home or beyond the Seas, may be put from your Privy Council, and from those Offices and Employments, excepting such as shall be approved of by both Houses of Parliament; and that the Persons put into Places and Employments of those that are removed, may be approved of by both Houses of Parliament; and that all Privy Counsellors shall take an Oath for the due Execution of their Places, in such Form as shall be agreed upon by both Houses of Parliament.

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II. That the great Affairs of the Kingdom may not be concluded or transacted by the Advice of private Men, or by any unknown or unsworn Counsellors; but that such Matters as concern the Public, and are proper for the High Court of Parliament, which is your Majesty's great and supreme Council, may be debated, resolved, and transacted only in Parliament, and not elsewhere; and such as shall presume to do any thing to the contrary, shall be reserved to the Censure and Judgment of Parliament: And such other Matters of State as are proper for your Majesty's Privy Council, shall be debated and concluded by such of the Nobility and others as shall, from Time to Time, be chosen for that Place, by Approbation of both Houses of Parliament. That no public Act concerning the Affairs of the Kingdom, which are proper for your Privy Council, may be esteemed of any Validity, as proceeding from the Royal Authority, unless it be done by the Advice and Consent of the major Part of your Council, attested under their Hands: And that your Council may be limited to a certain Number, not exceeding twenty five, nor under fifteen; and if any Counsellor's Place happen to be void in the Intervals of Parliament, it shall not be supplied without the Assent of the major Part of the Council; which Choice shall be confirmed at the next Sitting of the Parliament, or else to be void.

III. That the Lord High Steward of England, Lord High Constable, Lord Chancellor or Lord Keeper of the Great Seal, Lord Treasurer, Lord Privy Seal, the Earl Marshal, Lord Admiral, Warden of the Cinque-Ports, Chief Governor of Ireland, Chancel-

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lor of the Exchequer, Master of the Wards, Secretaries of State, two Chief Justices and Chief Baron, may be always chosen with the Approbation of both Houses of Parliament; and, in the Intervals of Parliament, by Assent of the major Part of the Council, in such Manner as is before expressed in the Choice of Counsellors.

IV. That he, or they, unto whom the Government and Education of the King's Children shall be committed, shall be approved of by both Houses of Parliament; and, in the Intervals of Parliament, by the Assent of the major Part of the Council, in such Manner as is before expressed in the Choice of Counsellors: And that all such Servants as are now about them, against whom both Houses shall have any just Exception, shall be removed.

V. That no Marriage shall be concluded or treated, for any of the King's Children, with any foreign Prince, or other Person whatsoever abroad, or at home, without the Consent of Parliament; under the Penalty of a Premunire unto such, as shall so conclude or treat any Marriage as aforesaid. And that the said Penalty shall not be pardoned or dispensed with, but by the Consent of both Houses of Parliament.

VI. That the Laws in Force against Jesuits, Priests, and Popish Recusants, be strictly put in Execution, without any Toleration or Dispensation to the contrary; and that some more effectual Course may be enacted, by Authority of Parliament, to disable them from making any Disturbance in the State, or eluding the Law by Trusts, or otherwise.

VII. That the Votes of Popish Lords in the House of Peers may be taken away, so long as they continue Papists; and that his Majesty would consent to such a Bill as shall be drawn, for the Education of the Children of Papists by Protestants in the Protestant Religion.

VIII. That your Majesty will be pleased to consent, That such a Reformation may be made of the Church-Government and Liturgy, as both Houses of Parliament shall advise, wherein they intend to have Consultations with Divines, as is expressed in the Declaration to that Purpose; and that your Majesty will con-

contribute your best Assistance to them for the Raising of a sufficient Maintenance for preaching Ministers throughout the Kingdom: And that your Majesty will be pleased to give your Consent to Laws for the taking away of Innovations and Superstition, and of Pluralities, and against scandalous Ministers.

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IX. That your Majesty will be pleased to rest satisfied with that Course that the Lords and Commons have appointed for ordering the Militia, untill the same shall be further settled by a Bill; and that you will recall your Declarations and Proclamations against the Ordinance made by the Lords and Commons concerning it.

X. That such Members of either House of Parliament as have, during this present Parliament, been put out of any Place and Office, may either be restored to that Place and Office, or otherwise have Satisfaction for the same, upon the Petition of that House whereof he or they are Members.

XI. That all Privy Counsellors and Judges may take an Oath, the Form whereof to be agreed on, and settled by Act of Parliament, for the Maintaining of the Petition of Right, and of certain Statutes made by the Parliament, which shall be mentioned by both Houses of Parliament: And that an Inquiry of all the Breaches and Violations of those Laws may be given in Charge, by the Justices of the King's-Bench, every Term, and by the Judges of Assize in their Circuits, and Justices of Peace at the Sessions, to be presented and punished according to Law.

XII. That all the Judges and all Officers, placed by Approbation of both Houses of Parliament, may hold their Places, Quamdiu bene se gesserint.

XIII. That the Justice of Parliament may pass upon all Delinquents, whether they be within the Kingdom, or fled out of it: And that all Persons cited by either House of Parliament, may appear and abide the Censure of Parliament.

XIV. That the General Pardon, offered by your Majesty, may be granted with such Exceptions as shall be advised by both Houses of Parliament.

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XV. *That the Forts and Castles of this Kingdom may be put under the Command and Custody of such Persons, as your Majesty shall appoint, with the Approbation of your Parliament; and, in the Intervals of Parliament, with the Approbation of the major Part of the Council, in such Manner as is before expressed in the Choice of Counsellors.*

XVI. *That the extraordinary Guards, and Military Forces, now attending your Majesty, may be removed and discharged; and that, for the future, you will raise no such Guards, or extraordinary Forces, but according to the Law, in case of actual Rebellion or Invasion.*

XVII. *That your Majesty will be pleased to enter into a more strict Alliance with the States of the United Provinces, and other neighbouring Princes and States of the Protestant Religion, for the Defence and Maintenance thereof against all Designs and Attempts of the Pope and his Adherents to subvert and suppress it; whereby your Majesty will obtain a great Access of Strength and Reputation, and your Subjects be much encouraged and enabled, in a Parliamentary Way, for your Aid and Assistance, in restoring your Royal Sister and her Princely Issue to those Dignities and Dominions which belong unto them, and relieving the other distressed Protestant Princes who have suffered in the same Cause.*

XVIII. *That your Majesty will be pleased, by Act of Parliament, to clear the Lord Kimbolton and the five Members of the House of Commons, in such Manner that future Parliaments may be secured from the Consequence of that evil Precedent.*

XIX. *That your Majesty will be graciously pleased to pass a Bill, For restraining Peers made hereafter from sitting or voting in Parliament, unless they be admitted thereunto with the Consent of both Houses of Parliament.*

‘ And these our humble Desires being granted by
‘ your Majesty, we shall forthwith apply ourselves
‘ to regulate your present Revenue, in such Sort as
‘ may

‘ may be for your best Advantage; and likewise
 ‘ to settle such an ordinary and constant Increase of
 ‘ it as shall be sufficient to support your Royal Dig-
 ‘ nity in Honour and Plenty, beyond the Propor-
 ‘ tion of any former Grants of the Subjects of this
 ‘ Kingdom to your Majesty’s Royal Predecessors.
 ‘ We shall likewise put the Town of *Hull* into such
 ‘ Hands as your Majesty shall appoint, with the
 ‘ Consent and Approbation of Parliament, and de-
 ‘ liver up a just Account of all the Magazine; and
 ‘ chearfully employ the uttermost of our Power
 ‘ and Endeavour, in the real Expression and Per-
 ‘ formance of our most dutiful and loyal Affections,
 ‘ for preserving and maintaining the Royal Ho-
 ‘ nour, Greatness, and Safety of your Majesty and
 ‘ of your Posterity.’

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June 2. Nothing but a private Cause heard in the House of Lords.

The Commons ordered all their Members to be summoned to appear in the House by the 16th of this Month, under a Penalty of 100 *l.* for each Absenter, to be employed in the Wars of *Ireland*. Their Committee at *York* were also required to order all the Members who were there, without Leave of the House, to return to their Duty in Parliament; and to declare to them That their Going away at this Time, and Continuance at *York*, is a great Affront to the House, and a Countenancing of the War intended against the Parliament.

The Commons
 order all their
 Members to be
 summoned,

June 3. The Committee sent into the City to borrow Money, for the Service of *Ireland*, reported, That the Citizens expressed great Chearfulness and Forwardness to further the Supply, and had promised to raise 100,000 *l.* with all Speed.

The Earls of *Northumberland* and *Pembroke* exhibited Letters from the King, commanding their Attendance on him at *York*; which the Lords thought proper to forbid, and ordered them the

And the Lords
 forbid any of
 theirs going to
 the King.

Thanks

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1. Thanks of the House for their Respect in this Matter. A *Declaration* was also ordered to be drawn up, setting forth the evil Tendency of the King's sending for several of the Lords to *York*; with the ill Consequences and Dangers thereof.

Bill passed for
calling an Assembly
of Divines.

This Day, also, the Lords read, a third Time, a Bill, *For the Calling an Assembly of learned Divines, to be consulted with by Parliament, for the Settling the Government and Liturgy of the Church, and for the Vindicating and Clearing the Doctrine of the Church of England from false Aspersions and Interpretations.* On the Question, resolved, That the Bill do pass.

June 4. An Ordinance of Parliament, as a Security to several Companies and Citizens of the City of *London*, for their late Loan of 100,000 *l.* at 8 per Cent. was agreed to by the Lords; which has this Preamble:

The Parliament
borrow 100,000 *l.*
from the Citizens
of London.

‘Whereas, amongst many other great and un-
‘expressible Blessings of Almighty God upon this
‘Parliament, it hath pleased him to stir up the
‘Hearts of many good and well-affected People,
‘to yield their willing and ready Help and Assist-
‘ance to the Supply of the great and pressing Ne-
‘cessities of this Kingdom and the Kingdom of *Ire-*
‘*land*; in which pious and charitable Work the
‘Citizens of *London*, by their singular Forwardness
‘and good Affection, have been exemplary to all
‘other Parts of this Kingdom; and, in Times of
‘great Exigence and Necessity, have lent and ad-
‘vanced great Sums to the Public Use; and, as well
‘by their Purse and Persons as other memorable Ser-
‘vices, contributed their effectual Help to the Par-
‘liament, for the Support of this State and King-
‘dom from apparent Danger and Destruction: And
‘whereas the said Citizens, in further Manifesta-
‘tion of their constant Fidelity and true Affection
‘to the Public, have now again been moved to
‘lend, &c.’

An

An Order was made for the Earl of *Warwick*, and all Sea-Officers and Commanders under him, to search all Sorts of Vessels on the *Irish* Coasts, suspected to carry any Supplies of Men, Money, Ammunition, Victuals, Cloaths, &c. to supply the bloody and barbarous Rebels in that Kingdom.

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An Order to stop
all Supplies for
the Irish Rebels,

And, further to preserve the Peace of this Kingdom, the following *Ordinance* of Parliament was this Day agreed to, by which may be understood the *Resolutions* of both Houses at this Time :

DIE SABBATI, 4^o Junii, 1642.

IT is this Day ordered by the Lords and Commons in Parliament, That the *Deputy-Lieutenants* of the severall and respective Counties, within the Kingdom of *England* and Dominion of *Wales*, that are not Members of the House of Commons, be hereby required and enjoined to be present at the Days and Places, which are or shall hereafter be appointed by the *Lord-Lieutenants*, or their *Deputies*, for the Training, Mustering, and Exercising of the Inhabitants of the said Counties; according to the Authority given unto them by an *Ordinance* of both Houses of Parliament.

And for exercising the Militia,

And it is further ordered that all *Deputy-Lieutenants*, as well those that are Members of the House of Commons as others, shall give such Dispatch by preparing of *Warrants*, *Commissions*, or *Letters*, and subscribing of the same, as the Service shall require : And for such as shall refuse, or neglect so to do, that their Names be certified unto us by their Fellow-Deputies, or any one of them, that shall or do perform the said Service.

And it is further declared, That it is the Intention of both Houses, for the better Encouragement of so good a Work, so much conducing to the Safety of his Majesty's Person and Kingdoms, that some of their Members at the Times and Places appointed, or to be appointed, for the Execution of the said *Ordinance*, shall be sent down to give their Personal Attendance upon the said Service.

About

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An. 18. Car. I. About this Time the King published his *Answer*
 1642. to the Parliament's *Remonstrance* of the 26th of
 June. May last; which was as follows: (b)

The King's Answer to the Parliament's Remonstrance of the 26th of May.

THough whosoever looks over the late *Remonstrance*, entituled, *A Declaration of the Lords and Commons, of the 26th of May*, will not think we have much Reason to be pleased with it; yet we cannot but commend the *plain Dealing* and *Ingenuity* of the *Framers* and *Contrivers* of that *Declaration*, (which hath been wrought in a hotter and quicker Forge than any of the rest) who would no longer suffer us to be affronted, by being told, *They would make us a Great and Glorious King*, whilst they used all possible Skill to reduce us to *extreme Want* and *Indigency*; and that *They would make us to be loved at home, and feared abroad*, whilst they endeavoured, by all possible Ways to render us *odious* to our good *Subjects*, and *contemptible* to all *foreign Princes*; but, like round-dealing Men, tell us in plain *English*, *That they have done us no Wrong, because we are not capable of receiving any; and That they have taken nothing from us, because we had never any thing of our own to lose*. If this Doctrine be true, and that indeed we ought to be of no other Consideration than they have informed our People in that *Declaration*, that Gentleman is much more excusable, that said publicly (unreproved) *That the Happiness of this Kingdom doth not depend on us, or upon any of the Royal Branches of that Root*; and the other, who said, *We were not worthy to be King of England*: Language very monstrous to be allowed by either House of Parliament, and of which, by the Help of God and the Law, we must have some Examination. But we doubt not, all our good Subjects do now plainly discern, through the *Mask* and

(b) In Barker, the King's Printer's, Edition of *This Answer*, not only the Passages, cited from the *Parliament's Remonstrance* of the 26th of May, are varied in the Manner of Printing; but also the most *emphatical Words* in the Course of the Argument: We therefore endeavoured the same Method in this *Remonstrance* before given.

and *Vizard* of their *Hypocrisy*, what their Design is; and will no more look upon the *Framers* and *Contrivers* of that *Declaration* as both Houses of *Parliament*, (whose Freedom and just Privileges we will always maintain, and in whose Behalf we are as much slandered as for ourself) but as a *Faction* of *Malignant*, *Schismatical*, and *Ambitious* *Persons*, whose Design is, and always hath been, to alter the whole Frame of *Government*, both of *Church* and *State*, and to subject both *King* and *People* to their own lawless *arbitrary Power* and *Government*; of whose *Persons*, and of whose Design, we shall, within a very short Time, give our good Subjects, and the World, a full, and, we hope, a satisfactory *Narration*.

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The *Contrivers* and *Penners* of that *Declaration* (of whom we would be only understood to speak, when we mention any of their undutiful Acts against us) tell you, That the great Affairs of this Kingdom, and the miserable and bleeding Condition of the Kingdom of Ireland, will afford them little Leisure to spend their Time in *Declarations*, *Answers*, and *Replies*. Indeed the miserable and deplorable Condition of both Kingdoms would require somewhat else at their Hands: But we would gladly know how they have spent their Time since their *Recess*, (now almost eight Months) but in *Declarations*, *Remonstrances* and *Invectives* against us and our Government, or in preparing Matter for them. Have we invited them to any such Expence of Time, by beginning Arguments of that Nature? Their Leisure, or their Inclination, is not as they pretend: And what is their *Printing* and *Publishing* their *Petitions* to us, their *Declarations* and *Remonstrances* of us, their odious *Votes* and *Resolutions*, sometimes of one, and sometimes of both Houses, against us (never in this Manner communicated before this Parliament) but an *Appeal* to the *People*? And, in God's Name, let them judge of the *Persons* they have trusted.

Their first Quarrel is (as it is always, to let them into their frank Expressions of us and our Actions) against

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against the *Malignant Party*, whom they are pleased still to call, and never to prove to be, *our evil Counsellors*; but, indeed, nothing is more evident by their whole Proceedings, than that by the *Malignant Party* they intend all the Members of both Houses, who agree not with them in their Opinion, (hence have come their *Distinction* of *good* and *bad Lords*, of Persons *ill affected* in the House of *Commons*, who have been proscribed, and their Names listed and read in Tumults) and all the Persons of the Kingdom, who approve not of their Actions: So that if, in Truth, they would be ingenuous, and name the Persons they intend, Who would be the Men, upon whom that Imputation of *Malignity* would be cast, but they who have stood stoutly and immutably for the *Religion*, the *Liberties*, the *Laws*, for all public Interests, so long as there was any to be stood for: They, who have always been, and are as zealous *Professors*, and, some of them, as able and earnest *Defenders* of the *Protestant Doctrine* against the Church of *Rome*, as any are; who have often and earnestly besought us to consent, *That no indifferent and unnecessary Ceremony might be pressed upon weak and tender Consciences*, and, *That we would agree to a Bill for that Purpose*: They, to whose Wisdom, Courage, and Counsel the Kingdom oweth as much as it can to Subjects; and upon whose unblemished Lives Envy itself can lay no Imputation, nor endeavoured to lay any, untill their Virtues brought them to our Knowledge and Favour? Let the *Contrivers* of this *Declaration* be faithful to themselves, and consider all those Persons of both Houses, whom they, in their own Consciences, know to dissent from them in the *Matter* and *Language* of that *Declaration*, and in all those undutiful Actions, of which we complain; and will they not be found in *Honour*, *Fortune*, *Wisdom*, *Reputation*, and *Weight* (if not in Number) much *Superior* to them? So much for the *evil Counsellors*. Now, what is the *evil Counsel* itself? Our coming from *London* (where we,

we, and many whose Affections to us are very eminent, were in Danger every Day to be torn in Pieces) to York; where we, and all such who will put themselves under our Protection, may live (we thank God, and the Loyalty and Affection of this good People) very securely: Our not submitting ourself absolutely (and renouncing our own Understanding) to the *Votes and Resolutions* of the *Contrivers* of that *Declaration*, when they tell us, *They are above us, and may* (by our own Authority) *do with us what they please*; and our not being contented, that all our good Subjects Lives and Fortunes shall be disposed of by their *Votes*, but by the *known Law* of the *Land*: This is the *evil Counsel* given and taken. And will not all Men believe there needs much Power and Skill of the *Malignant Party* to infuse this Counsel into us? And now apply the Argument the *Contrivers* of that *Declaration* make for themselves: *Is it probable, or possible, such Men whom we have mentioned (who must have so great a Share in the Misery) should take such Pains in the procuring thereof, and spend so much Time, and run so many Hazards, to make themselves Slaves, and to ruin the Freedom of this Nation?* We say, with a clear and upright Conscience to God Almighty, *Whosoever harbours the least Thought in his Breast of Ruining or Violating the public Liberty or Religion of this Kingdom, or the just Freedom and Privilege of Parliament, let him be accursed; and he shall be no Counsellor of ours that will not say, Amen.* For the *Contrivers* of that *Declaration*, we have not said any Thing which might imply any Inclination in them to be *Slaves*: That which we have charged them with, is *invading the public Liberty*; and our Presumption may be very strong and vehement, that (though they have no mind to be *Slaves*) they are not unwilling to be *Tyrants*: What is *Tyranny*, but to admit no Rule to govern by but their *own Wills*? And we know the Misery of *Athens* was at the highest, when it suffered under the *thirty Tyrants*.

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‘ If

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‘ If that *Declaration* had told us (as indeed it might, and as, in Justice, it ought to have done) that the *Precedents* of any of our *Ancestors* did fall short and much below what hath been done by us, this Parliament, in Point of *Grace* and *Favour* to our People, we should no otherwise have wondered at it, than at such a Truth, in such a Place : But when, to justify their having done more than ever their Predecessors did, it tells our good Subjects (as most injuriously, most insolently it doth) *That the highest and most unwarrantable Precedents of any of our Predecessors do fall short, and much below what hath been done to them this Parliament by us*, we must confess ourself amazed, and not able to understand them : And we must tell those *ungrateful Men* (who dare tell their King, *That they may, without want of Modesty and Duty, depose him*) that the Condition of our Subjects, when (by whatsoever Accidents and Conjunctions of Time) it was at the worst, under our Power, (unto which, by no Default of ours, they shall be ever again reduced) was, by many Degrees, more pleasant and happy, than that to which their furious Pretence of *Reformation* hath brought them : Neither are we afraid of the highest Precedents of other Parliaments, which these Men *boldly* (our good Subjects will call it worse) tell us, *They might, without want of Modesty and Duty, make their Patterns* : If we had no other Security against those Precedents, but their Modesty and Duty, we were in a miserable Condition, as all Persons will be who depend upon them.

‘ That *Declaration* will not allow our Inference, *That, by Avowing the Act of Sir John Hotham, they do destroy the Title and Interest of all our Subjects to their Lands and Goods* ; but confesseth, *if they were found guilty of that Charge, it were indeed a very great Crime*. And do they not, in this *Declaration*, admit themselves guilty of this very Crime ? Do they not say, *Who doubts but that a Parliament may dispose of any Thing, wherein we or our Subjects have a Right, in such a Way as* that

' that the Kingdom may not be in Danger thereby? An. 18. Car. I.
 ' Do they not then call themselves *This Parliament* 1642.
 ' and challenge this Power *without our Consent*? Do
 ' they not extend this Power to *all Cases*, where
 ' the Necessity, or the *Common Good* of the Kingdom is
 ' concerned? And do they not arrogate unto them-
 ' selves alone the *Judgment* of this Danger, this Ne-
 ' cessity, this *Common Good* of the Kingdom?
 ' What is, if this be not, to unsettle the *Security* of all
 ' Men's Estates, and to expose them to an *Arbitrary*
 ' *Power* of their own? If a *Faction* shall at any
 ' Time, by Cunning or Force, Absence or Accident,
 ' prevail over a *major Part* of both Houses; and
 ' pretend that they are *Evil Counsellors*, a *Malignant*
 ' *Party* about the King, by whom the *Liberty* and
 ' *Religion* of the Kingdom are both in *Danger*, (this
 ' they may do; they have done it) then they may
 ' take away, be it from the King or People, what-
 ' soever they, in their *Judgment*, shall think fit:
 ' This is lawful; they have *declared* it so. Let the
 ' World judge, whether we charge them unjustly,
 ' and whether they are not guilty of the Crime,
 ' which themselves confess, being proved, is a
 ' great one; and how safely we might commit the
 ' Power these People desire into their Hands, who,
 ' in all Probability, would be no sooner possessed of
 ' it, than they would revive that Tragedy which Mr.
 ' *Hooker* relates of the *Anabaptists* in *Germany*; who,
 ' talking of nothing but Faith, and of the true Fear
 ' of God, and that Riches and Honour were Vanity,
 ' at first, upon the great Opinion of their Humility,
 ' Zeal, and Devotion, procured much Reverence
 ' and Estimation with the People; after, finding
 ' how many Persons they had insnared with their
 ' Hypocrisy, they began to propose to themselves
 ' to reform both the Ecclesiastical and Civil Govern-
 ' ment of the State; then, because possibly they
 ' might meet with some Opposition, they secretly
 ' enter'd into a League of Association; and, shortly
 ' after, finding the Power they had gotten with the
 ' credulous People, enriched themselves with all Kind
 ' of Spoil and Pillage, and justified it upon our Savi-
 ' our's

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our's Promise, *The Meek shall inherit the Earth*; and declared their Title was the same which the righteous *Israelites* had unto the Goods of the wicked *Egyptians*: This Story is worth the reading at large, and needs no Application.

But we must by no Means say, *That we have the same Title to our Town of Hull, and the Ammunition there, as any of our Subjects have to their Lands or Money*; that is a Principle that pulls up the Foundation of the Liberty and Property of every Subject. Why, pray? Because the King's Property in his Towns, and in his Goods, bought with the Public Money (as they conceive our Magazine at Hull was) is inconsistent with the Subjects Property in their Lands, Goods, and Liberty: Do these Men think, That as they assume a Power of declaring Law, and whatsoever contradicts that Declaration breaks their Privileges; so that they have a Power of declaring Sense and Reason, and imposing Logic and Syllogisms on the Schools, as well as Law upon the People? Doth not all Mankind know, that several Men may have several Rights and Interests in the self same House and Land, and yet neither destroy the other? Is not the Interest of the Lord Paramount consistent with that of the *Mesne* Lord, and his with that of the *Tenant*, and yet their Properties and Interests not at all confounded? And why may not we then have a full lawful Interest and Property in our Town of Hull, and yet our Subjects have a Property in their Houses too? But we cannot sell or give away, at our Pleasure, our Towns and Forts, as a private Man may do his Land or Goods. What then? Many Men have no Authority to let or set their Leases, or sell their Land; have they therefore no Title to them, or Interest in them? May they be taken from them, because they cannot sell them? The Purpose of our Journey to Hull was neither to sell it, or give it away.

But for the Magazine and the Munition there, that we bought with our own Money, we might surely have sold that, lent, or given it away. No; we

' we bought it with the *Public Money*; and the Proof AN. 18. CAP. I. 1642.
 ' is, *They conceive it so*; and upon this Conceit
 ' have voted, That it shall be taken from us. Ex-
 ' cellent Justice! Suppose we had kept this Money
 ' by us, and not bought Arms with it, would they
 ' have taken it from us upon that Conceit? Nay,
 ' may they not wheresoever this Money is (for
 ' through how many Hands soever it hath passed, it
 ' is the Public Money still, if ever it were) seize it
 ' and take it from the Owners? *But the Towns,*
 ' *Forts, Magazine, and Kingdom is intrusted to us,*
 ' *and we are a Person trusted.* We are so, God
 ' and the *Law* hath trusted us, and we have taken
 ' an *Oath* to discharge that *Trust* for the Good and
 ' Safety of our People: What *Oaths* they have ta-
 ' ken we know not, unless those which, in this
 ' Violence, they have manifestly and maliciously
 ' violated. May any Thing be taken from a Man
 ' because he is *trusted* with it? Nay, may the Person
 ' himself take away the Thing he *trusts*, when he
 ' will, and in what Manner he will? The *Law*
 ' hath been otherwise, and we believe will be so
 ' held, notwithstanding their *Declarations*.
 ' But this *Trust* ought to be managed by their
 ' Advice, and the Kingdom hath trusted them for
 ' that Purpose: Impossible! That the *same Trust*
 ' should be irrevocably committed to *us* and *our*
 ' *Heirs for ever*, and the *same Trust*, and a *Power a-*
 ' *bove that Trust* (for such is the Power they pre-
 ' tend) be committed to *others*: Did not the People
 ' that sent them look upon them as a Body but
 ' Temporary, and Dissoluble at *our Pleasure*: And
 ' can it be believed, that they intended them for
 ' our *Guardians* and *Comptrollers* in the managing
 ' of that *Trust*, which God and the *Law* hath grant-
 ' ed to *us* and *our Posterity for ever*? What the Ex-
 ' tent of their *Commission* and *Trust* is, nothing can
 ' better teach them, than the *Writ* whereby they
 ' are met. We called them (and without that
 ' Call they could not have come together) to be
 ' our *Counsellors*, not *Commanders*; (for however
 ' they

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they frequently confound them, the Offices
 are several) and Counsellors, not in *all* Things,
 but in *some* Things, *De Quibusdam arduis, &c.*
 And they will easily find amongst their Precedents,
 that Queen *Elizabeth* (upon whose Time all good
 Men look with Reverence) committed one *Went-*
worth, a Member of the House of Commons, to
 the *Tower*, sitting the House, only for proposing
 That they might advise the Queen in a Matter she
 thought they had nothing to do to meddle in (i).
 But we are trusted: And are we the only Person
 trusted? And may they do what their own In-
 clination and Fury leads them to? Were not
 they trusted by us, when we first sent for them;
 and were they not trusted by us, when we passed
 them our Promise that we would not dissolve
 them? Can it be presumed (and Presumptions go
 far with them) that we trusted them with a Power
 to destroy us, and to dissolve our Government and
 Authority? If the People might be allowed to
 make an equitable Construction of the *Laws* and
Statutes, (a Doctrine avowed by them) would not
 all our good Subjects swear, we never intended
 by that Act of Continuance, that they should
 do what they have since done? Were they not
 trusted by those that have sent them? And were
 they trusted to alter the Government of Church and
 State, and to make themselves perpetual Dictators
 over the King and People? Did they intend that
 the Law itself should be subject to their Votes, and
 that whatsoever they say or do, should be lawful
 because they declare it so? The Oaths which they
 have taken who sent them, and without taking
 which themselves are not capable of their Place
 in Parliament, makes the one incapable of giving,
 and the other of receiving, such a Trust; unless
 they persuade our good Subjects, That we are
 the only Supreme Head and Governor in all
 Causes, and over all Persons, within our Domi-
 nions; and yet that they have a Power over us

to

(i) This Affair is recited at large in our Fourth Volume.

to constrain us to manage our *Trust*, and govern
 our Power according to their Discretion.
 The *Contrivers* of that *Declaration* tell us,
 That they will never allow us (an humble and duti-
 ful Expression) to be judge of the Law; that belongs
 only to them; they may and must judge and declare.
 We all know what Power the *Pope*, under the
 Pretence of interpreting Scriptures, and declaring
 Articles of *Faith* (tho' he declines the making the
 one or the other) hath usurped over Men's Con-
 sciences; and that, under Colour of having Power
 of ordering all Things for the Good of Men's
 Souls, he intitles himself to all the Kingdoms in
 the World. We will not accuse the *Framers* of
 this *Declaration* (how bold soever they are with
 us) that they incline to *Papery*; of which another
 Maxim is, *That we must submit our Reason and*
Understanding, and the Scripture itself, to that
Declaring Power of his: Neither will we tell
 them, tho' they have told us so, that they use the
 very Language of the Rebels of *Ireland*: And
 yet they say those Rebels declare, *That whatsoever*
they do, is for the Good of the King and Kingdom.
 But our good Subjects will easily put the Case
 to themselves, Whether, if the *Papists* in *Ireland*
 in Truth were, or by Act or Accident had made
 themselves, the Major Part of both Houses of
 Parliament there, and had pretended the *Trust* (in
 that *Declaration*) from the Kingdom of *Ireland*;
 and thereupon had voted their Religion and Liber-
 ty to be in Danger of Extirpation from a Malignant
 Party of *Protestants* and *Puritans*; and there-
 fore that they should put themselves into a Posture
 of Defence; that the Forts and *Militia* of that
 Kingdom were to be put into the Hands of such
 Persons as they could confide in: That we were
 indeed trusted with the Towns, Forts, Magazines,
 Treasures, Offices, and People of the Kingdom,
 for the Good, and Safety, and best Advantage
 thereof; but as this *Trust* is for the Use of the
 Kingdom, so it ought to be managed by the Ad-
 vice of both Houses of Parliament, whom the

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Kingdom had *trusted* for that Purpose; it being
 their Duty to see it discharged according to the
 Condition and true Intent thereof, and, by all
 possible Means, to prevent the contrary. We
 say, let all our good Subjects consider, if that
 Rebellion had been plotted with this Formality,
 and those Circumstances *declared* to be *legal*, (at
 least, according to the equitable Sense of the Law)
 and to be for the Public Good, and justifiable by
 Necessity; (of which they were the only Judges)
 whether, though they might have thought their
 Design the more cunning, they would believe it
 the more justifiable? Nay, let the *Framers*, of
 this *Declaration* ask themselves, If the *Evil Coun-*
sellers, the Malignant Party, the Persons ill-affect-
ed, the Popish Lords, and their Adherents should
 prove now, or hereafter, to be a *Major Part* of
 both Houses, (for it hath been declared a great
 Part of both Houses have been such, and so might
 have been the greater: Nay, that the greater
 Part of the House of Peers was such, and we
 have not heard of any of their Conversions; and
 thereupon it hath been earnestly pressed, That
 the *Minor Part* of the *Lords* might join with the
Major Part of the House of *Commons*;) were we
 bound to consent to all *such Alterations* as these
 Men should propose to us, and *resolve* to be for
 the Public Good; and must the *Liberty, Property,*
 and *Security* of our Subjects depend on what such
Votes should *declare* to be *Law*? Was the *Ordi-*
nance of the *Militia* unfit and unlawful, whilst the
 Major Part of the *Lords* refused to join in it;
 (as they did two, if not three, several Times;
 and it was never heard, before this Parliament,
 that they should be so, and so often, pressed after
 a *Dissent declared*) and did it grow immediately
 necessary for the Public Safety, and lawful by the
 Law of the Land, as soon as so many of the
 dissenting Peers were driven away, (after their
 Names had been required at the Bar, contrary to
 the Freedom and Foundation of Parliaments) that
 the other Opinion prevailed? Doth the *Life* and
 Li-

Liberty of the Subject depend upon such Accidents of Days and Hours, that it is impossible for him to know his Right in either? God forbid.

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But now, to justify their *Invasion* of our antient, unquestioned, undoubted *Right*, settled and established on us and our Posterity by God himself; confirmed and strengthened by all possible Titles of *Compacts, Laws, Oaths*, perpetual and uncontradicted *Custom* by our People; what have they alledged to declare to the Kingdom (as they say) the *Obligation* that lyeth upon the King, of this Realm to pass all such Bills, as are offered unto them by both Houses of Parliament? (a Thing never heard of till this Day) An *Oath* (Authority enough for them to break all theirs) that is, or ought to be, taken by the Kings of this Realm, which is, as well to remedy by Law such Inconveniences the Kingdom may suffer, as to keep and protect the Laws already in being; and the *Form* of this *Oath* (they say) appears upon a *Record* there cited, and by a *Clause* in the Preamble of a Statute made in the twenty-fifth Year of King *Edward* the Third.

We are not enough acquainted with *Records* to know, whether that be fully and ingenuously cited, and when, and how, and why the several *Clauses* have been inserted, or taken out of, the *Oaths* formerly administred to the Kings of this Realm; yet we cannot possibly imagine the Assertion, that *Declaration* makes, can be deduced from the *Words*, or the *Matter* of that *Oath*; for, unless they have a Power of declaring *Latin* as well as *Law*, surely *Elegerit* signifieth, *hath chosen*, as well as, *will chuse*; and that it signifieth so here (besides the Authority of the perpetual Practice of succeeding Ages, a better Interpreter than their *Votes*) is evident by the Reference it hath to Customs; *Consuetudines quas Vulgus elegerit*; and could that be a *Custom* which the People should chuse after this *Oath* taken, and should a King be sworn to defend such Customs? Besides, can it be imagined that he should be bound by *Oath* to pass such *Laws*

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(and such a Law is the Bill they brought to us of the *Militia*) as should put the *Power*, wherewith he is trusted, out of himself into the Hands of other Men; and so divest and disable him of all possible Power to perform the great Business of the *Oath*, which is to protect them? If we give away all our Power, or if it be taken from us, we cannot protect any Man: And what Discharge would it be for us, either before God or Man, (when our good Subjects, whom God and the Law hath committed to our Charge, shall be worried and spoiled) to say, *That we trusted others to protect them*; that is, to do that Duty for us, which is essentially and inseparably our own. But, that all our good Subjects may see how faithfully these Men (who assume this Trust from them) desire to discharge their Trust, we shall be contented to publish for their Satisfaction (a Matter notorious enough, but which we ourself never thought to have been put to publish, and which the *Framers* of that *Declaration* might as well have made use of as a *Latin Record* they knew many of our good Subjects could not, and many of themselves do not, understand) the *Oath itself we took at our Coronation*, warranted and enjoyed to it by the Custom and Directions of our Predecessors; and the Ceremony of their and our taking it, as they may find it in the *Records of the Exchequer*: This it is,

“The Sermon being done, the Archbishop goeth to the King, and asks his Willingness to take the Oath usually taken by his Predecessors.

“The King sheweth himself willing, ariseth and goeth to the Altar; the Archbishop administeth these Questions, and the King answers them severally.

“Episcopus. Sir, will you grant and keep, and, by your Oath, confirm to the People of England the Laws and Customs to them granted by the Kings of England, your lawful and religious Predecessors; and, namely, the Laws, Customs, and Franchises granted

" granted to the Clergy, by the glorious King St. Ed- An. 18. Car. L.
" ward, your Predecessor, according to the Laws of 1642.
" God, the true Profession of the Gospel established in }
" this Kingdom, and agreeable to the Prerogative of June.
" the Kings thereof, and the antient Customs of this
" Realm?

" Rex. I grant, and promise to keep them.

" Episcopus. Sir, will you keep Peace and god-
" ly Agreement entirely, according to your Power,
" both to God, the holy Church, the Clergy, and the
" People?

" Rex. I will keep it.

" Episcopus. Sir, will you, to your Power, cause
" Law, Justice, and Discretion, in Mercy and Truth,
" to be executed in all your Judgments?

" Rex. I will.

" Episcopus. Sir, will you grant to hold and keep
" the Laws and rightful Customs which the Commo-
" nalty of this your Kingdom have; and will you de-
" fend and uphold them to the Honour of God, so much
" as in you lieth?

" Rex. I grant, and promise so to do.

" Then one of the Bishops reads this Admoni-
" tion to the King, before the People, with a loud
" Voice.

" Our Lord and King, we beseech you to pardon,
" and to grant, and to preserve unto us, and to the
" Churches committed to our Charge, all canonical Pri-
" vileges, and due Law and Justice; and that you
" would protect and defend us, as every good King, in
" his Kingdom, ought to be Protector and Defender of
" the Bishops, and the Churches under their Govern-
" ment.

" The King answereth,

" With a willing and devout Heart I promise and
" grant my Pardon, and that I will preserve and
" maintain to you, and the Churches committed to
" your Charge, all canonical Privileges, and due Law
" and Justice, and that I will be your Protector and
" Defender, to my Power, by the Assistance of God, as
" every good King, in his Kingdom, in right ought to
" pro-

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“protect and defend the Bishops, and Churches under
their Government.”

“Then the King ariseth, and is led to the Com-
munion Table, where he makes a solemn Oath,
“in sight of all the People, to observe the Premises;
“and, laying his Hand upon the Book, saith,
“*The Things which I have before promised I shall*
“*perform and keep: So help me God and the Contents*
“*of this Book.*”

“Now, let all the World judge whether such
“*Doctrine, or such Conclusions, as these Men teach,*
“can follow, or have the least Pretence from this
“*Oath,*

“For the Preamble of the Statute they cite, that
“tells us, *That the King is bound to remedy, by Law,*
“*the Mischiefs and Damages which happen to his*
“*People.* He is so: But is the King bound by the
“Preamble of that Statute, *to renounce his own Judg-*
“*ment, his own Understanding, in these Mischiefs,*
“and of those Remedies? How far forth he is obli-
“ged to follow the *Judgment of his Parliament,*
“that *Declaration* still confesseth to be a Question.
“Without Question none can take upon them to
“remedy, even *Mischiefs,* but by *Law,* for fear of
“greater Mischiefs than those they go about to re-
“medy.

“But we are bound in Justice to consent to their
“Proposals, because there is a Trust reposed in us to
“preserve the Kingdom, by making new Laws. We
“are glad there is so, then we are sure no new
“Laws can be made without our Consent; and that
“the Gentleness of our Answer, *Le Roy s’avisera,* if
“it be no Denial, is no Consent, and then the Mat-
“ter is not great. They will allow us yet a great-
“er Latitude of granting or denying, as we shall
“think fit, in public Acts of Grace, as Pardons or
“the like Grants of Favour. Why do they so? If
“these Pardons and public Acts of Grace be for the
“Public Good, (which they may vote they are) they
“will then be absolutely in their own Disposal;
“But

‘ But have they left us *this Power* ? They have sure An. 13, Car. 1.
 ‘ at least *shared it with us* : How else have they got 1642.
 ‘ the Power to pardon Serjeant-Major-General
 ‘ *Skippon*, (a new Officer of State, and a Subject we
 ‘ have no Authority to send to speak with) and all
 ‘ other Persons employed by them, and such as
 ‘ have employed themselves for them, not only for
 ‘ what they *have done*, but for what they *shall do* ?
 ‘ If they have Power to *declare* such Actions to be
 ‘ *no Treason*, which we would *not pardon*, and such
 ‘ Actions to be *Treason*, which *need no Pardon*, the
 ‘ Latitude they allow us, of *granting or denying of*
 ‘ *Pardons*, is a Jewel they may still be contented to
 ‘ suffer us to wear in our Crown, and never think
 ‘ themselves the more in Danger.

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‘ All this considered, the *Contriver* of that *Mes-*
 ‘ *sage*, (since they will afford him no better Title)
 ‘ whom they are angry with, doth not conceive
 ‘ the People of this Land to be so void of Com-
 ‘ mon Sense, as to believe us (who have denied no
 ‘ one Thing for the Ease and Benefit of them,
 ‘ which in Justice or Prudence could be asked, or in
 ‘ Honour and Conscience could be granted) to have
 ‘ cast off all Care of our Subjects Good ; and the
 ‘ *Framers* and *Devisers* of that *Declaration* (who
 ‘ have endeavoured to render us odious to our Sub-
 ‘ jects, and them disloyal to us, by pretending such
 ‘ a Trust from them) to have only taken it up :
 ‘ Neither, we are confident, will they be satisfied,
 ‘ when they feel the Misery and the Burdens which
 ‘ the Fury and the Malice of those People will
 ‘ bring upon them, with being told that Calamity
 ‘ proceeds from *evil Counsellors*, whom no Body can
 ‘ name ; from *Plots and Conspiracies*, which no
 ‘ Man can discover ; and from *Fears* and *Jealousies*,
 ‘ which no Man understands : And therefore
 ‘ that the Consideration of it be left to the Consci-
 ‘ ence, Reason, Affection, and Loyalty of our good
 ‘ Subjects, who do understand the Government of
 ‘ this Kingdom, we are well content.

‘ Where will the Folly and Madness of these
 ‘ People end, who would have our People believe,
 ‘ That

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That our Absenting ourself from London, (where, with our Safety, we could not stay) and the Continuing our Magazine at Hull, proceeds from the secret Plots of the Papists here, and to advance the Designs of the Papists in Ireland? But it is no Wonder that they, who can believe Sir John Hotham's shutting us out of Hull to be an Act of Affection and Loyalty, will believe that the Papists or the Turks persuaded us to go thither.

And can any sober Man think that Declaration to be the Consent of either or both Houses of Parliament, unaltered either by Fraud or Force, which (after so many Thanks and humble Acknowledgement of our gracious Favour in our Message of the 20th of January, so often and so unanimously presented unto us from both Houses of Parliament) tells us, *That the Message at first was, and, as often as it hath been since mentioned by us, hath been a Breach of Privilege*; (of which they used not to be so negligent, as, in four Months, not to complain, if such a Breach had been) and *that the Way and Method of proceeding should not be proposed to them*; as if we had only Authority to call them together, none to tell them what they were to do, not so much as with reference to our own Affairs: What their Method hath been, and whither it hath led them, and brought the Kingdom, all Men see; what ours would have been, if seasonably and timely applied unto, let all Men judge: We will speak no more of it.

But see now what excellent Instances they have found out to prove an Inclination, if not in us, in some about us, to a Civil War: *Their going with us to the House of Commons*; (so often urged, and so fully answered) *their attending on us to Hampton-Court, and appearing in a warlike Manner at Kingston upon Thames*; *our going to Hull*; *their drawing their Swords at York, demanding Who would be for the King*; *the declaring Sir John Hotham Traitor, before the Message sent to the Parliament*; *the Propositions to the Gentry in Yorkshire to assist us against him, before we had received*

' *ved an Answer from the Parliament:* All desperate An. 18. Car. I.
 ' *Instances of an Inclination to a Civil War!* Exa- 1649.
 ' *mine them again:* The *Manner* and *Intent* of our
 ' *going to the House of Commons,* we set forth at
 ' *large in our Answer to their Declaration* of the
 ' *19th of May;* let all Men judge. Next, Do these
 ' *Men themselves believe* (to what Purpose soever
 ' *that Rumour hath served their Turns)* that there
 ' *was an Appearance in warlike Manner at Kingston*
 ' *upon Thames?* Do they not know, that whensoever
 ' *we have been at Hampton-Court,* since our first
 ' *Coming to the Crown,* there was never a *less Ap-*
 ' *pearance, or in a less warlike Manner* than at the
 ' *Time they mean.* We shall say no more, but
 ' *that our Appearance, in a warlike Manner at King-*
 ' *ston upon Thames, and theirs at Kingston upon*
 ' *Hull,* is very different. What is meant by the
 ' *drawing of Swords at York, and demanding, Who*
 ' *would be for the King,* must be inquired at *Lon-*
 ' *don,* for we believe very few in *York* understand
 ' *the Meaning of it.* For our going to *Hull,* (which
 ' *they will by no Means endure should be call'd a*
 ' *Visit)* whether it were not the Way to prevent,
 ' *rather than to make a Civil War,* is very obvious.
 ' *And the declaring Sir John Hotham a Traitor,* in
 ' *the very Act of his Treason,* will never be thought
 ' *unseasonable,* but by those who believe him to
 ' *be a lying and loyal Subject;* no more than the
 ' *endeavouring to make the Gentlemen of this*
 ' *County sensible of that Treason* (which they
 ' *are in an honourable and dutiful Degree)* before
 ' *we received our Answer from both Houses of Par-*
 ' *liament:* For if they had been (as we expected
 ' *they should have been)* sensible of that *intolerable*
 ' *Injury* offered to us, might not we have had Oc-
 ' *casion to have used the Affection of these Gentle-*
 ' *men?* Were we sure that Sir John Hotham, who
 ' *had kept us out without their Order,* (we speak of
 ' *a public Order)* would have let us in when they
 ' *had bidden him?* And if they had not such a
 ' *Sense of us,* (as the Case falls out to be) had we
 ' *not more Reason to make Propositions to those*
 ' Gen-

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Gentlemen, whose Readiness and Affection we,
' or our Posterity, shall never forget.

' But this Business of *Hull* sticks still with them,
' and finding our Questions hard, they are pleased
' to answer us by asking us other Questions: No
' Matter for the Exceptions against the Earl of
' *Newcastle*, (which have been so often urged as one
' of the principal Grounds of their Fears and Fea-
' lousies, and which drew that Question from us)
' they ask us, *Why, since we held it necessary that*
' *a Governor should be placed in Hull, Sir John Ho-*
' *tham should be refused by us, and the Earl of New-*
' *castle sent down?* We answer, Because we had
' a better Opinion of the Earl of *Newcastle*, than of
' Sir *John Hotham*; and desired to have such a Go-
' vernor over our Towns, (if we must have any)
' as should keep them *for*, and not *against*, us: And
' if his going down were in a more private Way
' than Sir *John Hotham's*, it was because we had
' not that Authority to make a Noise, by levying
' and billeting of Soldiers, in a peaceable Time, upon
' our good Subjects, as it seems Sir *John Hotham*
' carried down with him. And the Imputation
' which is cast by the Way upon that Earl, to
' make his Reputation not so unblemished as we
' conceived, and the World believes, it to be, and
' which, though it was not Ground enough for a ju-
' dicial Proceeding, (it is wonder it was not) was yet
' Ground enough of Suspicion, must be the Case of
' every Subject in *England*, (and we wish it went
' no higher) if every vile Aspersions contrived by un-
' known Hands, upon unknown or unimaginable
' Grounds (which is the Way practised to bring any
' virtuous and deserving Men into Obloquy) shall
' receive the least Credit or Countenance in the
' World.

' They tell us their Exception to those Gentle-
' men, who delivered their *Petition* to us at *York*,
' was, *That they presumed to take upon them the Style*
' *of all the Gentry and Inhabitants of that County;*
' *whereas, they say, so many more, of as good Quality*
' *as themselves, of that County, were of another Q-*
' *uon,*

pinion; and have since, by their Petition to us, dis-
avowed that *All*: Their Information in that Point
is no better than it useth to be; and they will find,
That neither the *Number* or the *Quality* of those
who have, or will disavow that *Petition*, are as
they imagine; though too many weak Persons
are *misled* (which they do, and will every Day
more, understand) by the *Faction*, *Skill*, and *In-*
dusstry of that true *Malignant Party*, of which we
do, and have Reason to complain. They say,
They have received no Petition of so strange a Na-
ture. What Nature? *Contrary to the Votes of*
both Houses: That is, They have received no *Pe-*
tition which they *had no Mind to receive*: But we
told them, and we tell them again, and all our
good Subjects will tell them, That they have re-
ceived *Petitions*, with *Joy* and *Approbation*, against
the *Votes* of both Houses of their *Predecessors*, con-
firmed and established into *Laws* by the *Consent*
of *us* and *our Ancestors*; and allowed those *Peti-*
tions to carry the *Style*, and to *seem* to carry the
Desires of *Cities*, *Towns*, and *Counties*, when of
either *City*, *Town*, or *County* very few known
or *considerable Persons* have been privy to such *Pe-*
titions: Whereas, in Truth, the *Petitions* deliver-
ed to us (against which they except) carried not
the *Style* of *All*, but *Some* of the *Gentry* and *In-*
habitants; and implied no other *Content*, than
such as went visibly along with it.

But we are all this while in a Mistake; *the Ma-*
gazine at Hull is not taken from us. Who told
you so? They who assure you (and whom, with-
out *breaking their Privileges*, you must believe)
that Sir *John Hotham's* shutting the *Gates* against
us, and resisting our *Entrance* with armed Men,
(though we thought it in *Defiance* of us) *was in-*
deed in Obedience to us and our Authority, and for our
Service, and the *Service of the Kingdom*: He was to
let none in, but such as came with our *Authority* signi-
fied by both Houses of *Parliament*; (himself and
they had ordered it so) and therefore he kept us out,
only

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only till we, or he, might send for their Directions.
 We know not whether the *Contrivers* of that *Declaration* meant that our good Subjects should so soon understand (though it was plain enough to be understood) the Meaning of the *King's Authority* signified by both Houses of Parliament: But sure the World will now easily discern in what miserable Case we had by this Time been, (it is bad enough as it is) if we had consented to their *Bill*, or to their *Ordinance* of the *Militia*, and given those Men Power to have raised all the Arms of the Kingdom against us (for the common Good) by our own Authority. Would they not, (as they have kept us from *Hull*) by this Time, have beaten us from *York*, and pursued us out of the Kingdom in our own Behalf? Nay, may not this Munition (which is not taken from us) be employed against us? Not against our Authority signified by both Houses of Parliament; but only to kill those ill Counsellors, the Malignant Party, which is about us; and yet for our Good, for the Public Good, (they will declare it so) and so no Treason within the Statute of 25. *Edward III.* which, by their Interpretation, hath left us (the King of England) absolutely less provided for, in Point of Safety, than the meanest Subject of the Kingdom; and every Subject of this Land (for whose Security that Law was made, that they may know their Duty, and their Danger in breaking it) may be made a *Traitor*, when these Men please to say *he is so*. But do they think that, upon such an Interpretation, (upon Pretence of Authority of *Book-Cases* and *Precedents*, which, without doubt, they would have cited if they had been to their Purpose) out of which nothing can result but *Confusion* to King and People, they will find any Credit with our good Subjects? and that so excellent a Law, made both for Security of King and People, shall be so eluded by an Interpretation no learned Lawyer in England will, at this Hour, we believe, set under his Hand, notwithstanding

withstanding the Authority of that Declaration; An. 38. Car. I.
which, we hope, shall bring nothing but Infamy
upon the Contrivers of it.

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Now to their Privileges. Though it be true,
they say, That their Privileges do not extend to Treason, Felony, or Breach of the Peace, so as to exempt the Members from all Manner of Process and Trial; yet it doth privilege them in the Way or Method of their Trial; the Cause must first be brought before them, and their Consent asked before you can proceed. Why then their Privileges extend as far in these Cases, as in any that are most unquestioned; for no Privilege whatsoever exempts them from all Manner of Process and Trial, if you first acquaint the House with it, and they give you Leave to proceed by such Process, or to that Trial: But, by this Rule, if a Member of either House commit a Murder, you must by no Means meddle with him, till you have acquainted that House, of which he is a Member, and received their Direction for your Proceeding; assuring yourself he will not stir from that Place where you left him, till you return with their Consent: Should it be otherwise, it would be in the Power of every private Man, under Pretence of Murder, to take any Man from his Service in Parliament, and so as many one after another, as he pleaseth; and so consequently to make a Parliament what he will and when he will: If a Member of either House shall take a Purse at York, (he may as probably take a Purse from a Subject, as Arms against his King) you must ride to London to know what to do; and he may ride with you and take a new Purse every Stage, and must not be apprehended, or declared a Felon, till you have asked that House of which he is a Member: For, should it be otherwise, it might be in every private Man's Power to accuse as many Members as he would of taking Purse, and so bring a Parliament (and consequently all Parliaments) to nothing. Would these Men be believed? And yet they make no Doubt, but every one who hath taken the Protestation, will defend this Doctrine

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trine with his Life and Fortune. Will not our Subjects believe, That they have imposed a pretty *Protestation* upon them, and that they had a very good End in the doing it, if it obligeth them to such Hazards, to such Undertakings? Must they forget or neglect our Person, Honour, and Estate, which, by that *Protestation*, they are bound to defend, and in some Degree do understand; and must they only venture their Lives and Fortunes to justify *Privileges* they know not, or ever heard of before? Or are they bound by that *Protestation* to believe, that the *Framers* of that *Declaration* have Power to extend their own *Privileges* as far as they think fit, and to contract our *Rights* as much as they please; and that they are bound to believe them in either, and to venture their Lives and Fortunes in that Quarrel?

From declaring how mean a Person *we are*, and how much the Kingdom hath been mistaken in the Understanding of the *Statute* of 25. *Ed. III.* concerning *Treason*; and that all Men need not fear *levying War* against us, *so they have their Order to warrant them*, they proceed, in the Spirit of *Declaring*, to certify our Subjects in the Mistakings, which near one hundred and fifty Years have been received, concerning the *Statute* of 11. *Henry VII. Cap. 1.* (a *Statute* our good Subjects will read with Comfort) and tell them, *That the serving of the King, for the Time being, cannot be meant of Perkin Warbeck, or of any that should call himself King, but such a one as is allowed and received by the Parliament in the Behalf of the Kingdom*; and are we not so allowed? However thro' a dark Mist of Words, and urging their old *Privileges*, (which we hope we have sufficiently answered, and will be every Day more confuted by the Actions of our good Subjects) they conclude, *That those that shall guide themselves by the Judgment of Parliament* (which they say is their own) ought, *whatsoever happen*, to be secure and free from all Account and Penalties, upon the Ground and *Equity* of that very *Statute*. How far their

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own Chancellors may help them in that *Equity*, An. 18. Car. I.
we know not; but, by the Help of God and that
good Law, we shall allow no such *Equity*.

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So then, here is the *Doctrine* of that *Declaration*, and these are the *Positions* of the *Contrivers* of it.

1. *That they have an absolute Power of declaring the Law, and that whatsoever they declare to be so, ought not to be questioned by ourself, or any Subject; so that all Right and Safety of us and our People must depend upon their Pleasure.*

2. *That no Precedents can be Limits to bound their Proceedings; so they may do what they please.*

3. *That a Parliament may dispose of any thing, wherein the King or Subject hath a Right, for the Public Good; that they, without the King, are this Parliament, and Judge of this Public Good; and that our Consent is not necessary: So the Life and Liberty of the Subject, and all the good Laws made for the Security of them, may be disposed of and repealed by the Major Part of both Houses, at any Time present, and by any Ways and Means procured so to be; and we have no Power to protect them.*

4. *That no Member of either House ought to be troubled or meddled with, for Treason, Felony, or any other Crime, without the Cause being first brought before them, that they may judge of the Fact, and their Leave obtained to proceed.*

5. *That the Sovereign Power resides in both Houses of Parliament, and that we have no Negative Voice: So then we ourself must be subject to their Commands.*

6. *That the levying of Forces against the personal Commands of the King, though accompanied with his Presence, is not levying War against the King; but the levying War against his Laws and Authority, (which they have Power to declare and signify) though not against his Person, is levying War against the King; and that Treason cannot be committed against his Person, otherwise than as he is intrusted with the Kingdom, and discharge-*

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ing that Trust; and that they have a Power to judge whether he discharge this Trust or no.

7. That if they should make the highest Precedents of other Parliaments their Patterns, there would be no Cause to complain of want of Modesty or Duty in them: That is, they may depose us when they will, and are not to be blamed for so doing.

And now, as if the mere Publishing of their Resolutions would not only prevail with the People, but in the instant destroy all Spirit and Courage in us to preserve our own Rights and Honour, they have since taken the Boldness to assault us with certain Propositions, which they call the most necessary effectual Means for removing those Jealousies and Differences between us and our People: That is, that we will be content to divest ourself of all our Regal Rights and Dignities; be content with the Title of a King; and suffer them, according to their Discretion, to govern us and the Kingdom, and to dispose of our Children. How suitable and agreeable this Doctrine and these Demands are to the Affection of our loving Subjects, under whose Trust these Men pretend to say and do these monstrous Things; and to design, not only the Ruin of our Person, but of Monarchy itself (which we may justly say, is more than ever was offered in any of our Predecessors Times; for though the Person of the King hath been sometimes unjustly deposed, yet the Regal Power was never, before this Time, stricken at) we believe our good Subjects will find some Way to let them and the World know: And from this Time such who have been misled by their ill Counsels, to have any Hand in the Execution of the Militia, will see to what Ends their Service is design'd; and therefore, if they shall presume hereafter to meddle in it, they must expect that we will immediately proceed against them as actual Raisers of Sedition, and as Enemies to our Sovereign Power.

We have done: And shall now expect the worst Actions these Men have Power to commit against

‘ against us; *worse Words* they cannot give us. And we doubt not but the Major Part of both Houses of Parliament, when they may come together with their Honour and Safety, (as well those who were surprized at the Passing of it, and understood not the Malice in it, and the Confusion that must grow by it if believed, as those who were absent, or involv’d) will so far resent the *Indignity* offered to us, the *Dishonour* to themselves, and the *Mischief* to the whole Kingdom, by that *Declaration*, that they will speedily make the *foul Contrivers* of it Instances of their *exemplary Justice*, and brand them and their *Doctrine* with the Marks of their perpetual *Scorn* and *Indignation*.’

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1642.
June.

June 6. Both the Houses received Intelligence from their Committee at *York*, concerning a prodigious Meeting of Gentlemen and Freeholders, which had appeared, at his Majesty’s *Summons*, on a Moor near that City, on the third of this Month. The Particulars thereof, in a Letter from the Lord *Howard* of *Esricke*, one of the said Committee, directed to the Speaker of the House of Peers, was read in these Words:

My Lord,

According to the Commands of the Houses, we presented your Petition and Propositions to the King, Yesterday Morning; he heard them read, and told us, He would take some Time to consider of an Answer. A Sixth Letter from the Lord Howard, with an Account of the King’s Proceedings at York.

I doubt not but the House will expect some Account from me of the great Meeting Yesterday; yet I believe that no Man can fully satisfy to what it tended, or make any Judgment thereon, or what Sense the Country had of it: For, as nothing was offered to them by way of Proposition so nothing was said by them, only that divers Times there was made a very great Shout or Noise.

A printed Speech was there read, in divers Places of the Field which some heard, but many Thousands went away, saying, They could give no Account

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 1642.
 June.

Number was very great, thought to be about forty thousand (k); the King came to the Place with the Prince, the Duke of York, the Prince Elector and most of the Lords that are in Town; the Regiment of Horse, Trained-Bands, his Majesty's Guard of Horse of this County, his own Servants and the Soldiers that are about the Town; with whom he rode about the Field, stay'd a little, and then departed.

A Petition was offered to his Majesty, by Sir Thomas Fairfax, in the Name of many Inhabitants of this County, but it was not accepted. There were but few Gentlemen at this Meeting, excepting those who put themselves upon the King's Guard; this Summons being intended, by his Majesty, only for the Ministers, Freeholders, Copyholders, and Farmers.

We continue to suffer still by the King's Displeasure; for, when we were ready to take Horse and accompany our Countrymen, it pleased his Majesty to send the Earl of Newport to us with this Message: That his Majesty did command us that we should not go to the Field, nor appear at all at this Meeting. To which we returned this Answer by the Earl to his Majesty, That we would obey his Commands herein at this Time; but that we protested, It was a very high Breach of our Liberty, as we were Subjects and Yorksbiremen: That we humbly conceived we were under no Restraint, at present, as Prisoners; not having deserved any such Affront or Punishment, by any thing we had said or done: That there were divers Parliament-Men there, (who, we were confident, had not done so good Service to his Majesty, in endeavouring the Peace of the Kingdom, as we had) who were not only admitted to this Meeting, but had much Respect from his Majesty, while we suffered under these undeserved Injuries: That tho', for the present, we should forbear going, yet, if any thing should happen wherein our Service should be required by our Instructions,
 we

(k) In a printed Pamphlet of this Time we are told, the Number was deem'd to be 70 or 80,000, but that there were not present above 5000 Freeholders.

we must and would be ready to come and perform An. 18. Car. I.
it. 1642.

This Answer being sent accordingly, we resolved to stay at our Lodgings, the Place of the Meeting being very near; and sent divers of our Servants there, who we directed to give us particular Notice of what pass'd; so that, if there had been Occasion, we could presently have been upon the Place, to have done any thing which had concerned our Duties.

We are informed that the Earl of Newport hath, by his Majesty's Commands, sent forth Warrants, that the Recusants Arms, deposited in any Part of this County, shall be brought to York, for his Majesty's Service. This being, as we conceive, of some Consequence, I thought it my Duty to acquaint the House therewith; and shall ever remain

York, June 4,
1642.

Your Lordship's
most humble Servant,

ED. HOWARD.

A Conference was held, this Day, between the two Houses on the Subject of the foregoing Letter, &c. the Report of which was made to the Lords, in the Afternoon; wherein the Commons presented their Lordships a printed Copy of the King's Declaration to the Ministers, Freeholders, Farmers, and substantial Copyholders, assembled by his Majesty's special Summons at Heworth Moor, near York, on the third of this Month; which was as follows: (1)

‘ **W**E would have you to be assured, that we His Majesty's
‘ never intended the least Neglect unto you Declaration to
‘ in any former Summons of the Country; our Love, the Ministers,
‘ as well as our Protection, extending to all our Freeholders,
‘ Sub-Copyholders of that County.

L 3

(1) This Summons, which being Matter of Form only we omit, and the King's Declaration are in Rushworth and Husband; but neither Lord Howard's Letter, nor the following Petitions, &c. relating to this Meeting, are to be found in those or our own Collections, although they were ordered by Parliament to be printed: They are all mentioned in the Commons Journals, but not there entered, and we give them from the Lords.

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June,

Subjects: But as you are a great Body, Time
' and Conveniency must be observed in your assembling.

' That you may know the general Reasons of
' our being here, you must understand, That when
' we found it neither safe nor honourable to expose
' our Person to the tumultuous and licentious Proceedings of many, (which to this Day are unpunished) who did disorderly approach near our
' Court at *Whitehall*, we trusted this Part of our
' Dominions chiefly to reside in; where, as most
' of the Gentry already have, so we assure ourselves
' the rest of you will, give us clear Testimony of
' your Service and Obedience; which we will never use otherwise than for the Defence of the true
' Orthodox Religion, professed and settled in Queen
' *Elizabeth's* Time, and confirmed by the Authority of the Statutes of this Realm; the Defence of
' the Laws and Fundamental Constitutions of this
' Kingdom, as the justest Measure and Rule for
' our Prerogative, and your Liberties and Rights;
' and, lastly, for the Preservation of the Peace of
' this Kingdom.

' As for our own Zeal to the *Protestant* Profession, we refer all the World to our daily Exercise
' of it, and our *Declarations* concerning it, and to
' our Execution of the Laws against the *Papists*; so
' likewise we cannot but declare ourself most heartily
' sorry to find such *Separatists* and *Schismatics*,
' who presume, against the Law, to soment new
' Doctrines and Disciplines to the Disturbance of
' Church and State.

' For the Law; it being the common Inheritance of our People, we shall never inforce any
' Prerogative of ours beyond it, but submit ourself to it; and give you, and all our Subjects, the
' fullest Latitude of it, both for the Liberty of your
' Persons, and the Property of your Estates. And
' for an inviolable Confidence and Assurance hereof, as we take God, the Searcher of all Hearts,
' to witness our real Intention herein; so we shall
' no longer desire you to stand for the Defence of
' our

our Person, Honour, and just Prerogatives, than
we shall maintain the Laws of the Land, the Li-
berty of your Persons, and the Property of your
Goods.

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And for the clear Understanding of our Reso-
lutions to maintain Peace, we may have the Con-
fidence and Happiness to refer (against all Malig-
nity whatsoever) to our former sixteen Years Reign;
(too long to dissemble our Nature) if, in all this
Time, we never caused the Effusion of one Drop
of Blood, it must needs be thought, that, in our
riper Judgment in Government, we should ne-
ver open such Issues as might drown us and our
Posterity in them: But we are sure to have no
Enemies, but in the Defence of the true *Protes-*
tant Profession, the Right of the established Laws,
and for the Preservation of Peace: And certainly
all such as those must be yours as well as our
Enemies.

And to the end that this present Posture, where-
in we meet, should not affright you with the Dis-
tempers of the Times, (the Example of the two
Houses having made us prepare for a Guard to us
and our Childrens Persons) we wish you to look
into the Composition and Constitution of it; and
you will find it so far from the Face or Fear of
War, that it serves to secure you, as well as us,
from it; for our Choice is of the prime Gentry,
and of one Regiment of our Trained Bands, which
cannot be thought to oppress the Country, being
their own, nor war with themselves. And we
further assure you, we never intended to use Fo-
reigners or disaffected in Religion; and, that you
may fully assure yourselves of our sole Dependency
upon the Love and Service of our own People, to
live and die with them, we have armed these our
Subjects; which had been most irrational, if we
had ever intended to have used Strangers. And
further, you may perceive that we do receive
none, but such as stand clear in Loyalty and Re-
ligion; for which Reason we have caused the
Oaths

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Oaths of Allegiance and Supremacy to be given them. Likewise, to prevent any Distempers at home, we have and shall put the Trained Bands of all this our Kingdom, under the Command of Persons of Honour, Confidence, and Affection to their Country; straitly charging, upon their Allegiance, no Officer to accept any Command in them, nor Soldiers to obey any, save such as are authorized by us. And for the Prevention of any innovated Power over you, you shall have us here to govern you, and the Soldiery to protect you in Peace, and to relieve you against all Oppressions; for that, as we have told you before, must arise from some great Violation, (which we hope God will prevent) and not from this Preparation of our Subjects. Therefore let none of you be affrighted with vain Fears; if such a War should follow, it follows the Authors home to their own Doors; and such, by the Confidence of our Person with you, we assure ourself you are not.

Here we had left you to your Fidelity and Duty, had not some malicious Insolence, in our former Meetings, sent forth a most presumptuous *Summons*, deceiving our People, and presuming upon our Royal Authority; and these present themselves as great Defenders of Religion, Peace, and Liberty; whereas they become infectious and contagious to the People, seducing them into vain Fancies and Delusions, as may appear by their Warrants, which we could trace to some Pulpits, as we are credibly informed: And you see it were just in us to punish these as Authors of Sedition, but that it would be too great a Favour; for it would honour them with the Title of Martyrdom, for God's Cause, as they vainly pretend: But you may now see from whence this Spirit comes, that would make us to be in the Act of Destruction of Religion, and our Person a Disturber of the Peace, and ready to introduce Slavery.

These here are all the foreign Forces we have, or ever shall intend to have, to act these great
De-

' Designs, notwithstanding the vain Fears hitherto
' imagined. So that you see it is high Time that
' these Fancies were dispersed and driven away, that
' we might be repaired in Honour and Interest, and
' you enjoy the Blessing of Peace and Happiness,
' the Advancement whereof shall be our Study and
' Comfort: And therefore we shall, when you
' shall think it convenient Time, ease you in the
' Number of Trained Bands; and for your Billet-
' Money, it had been long since paid, but that no
' Part of the Subsidies which we passed for that Pur-
' pose, came to our Hands; and we shall not be
' wanting, in any Thing that lieth in us, for the
' full Satisfaction thereof: But shall make our Grace
' and Bounty to you answerable to your best Fide-
' lity and Loyalty, as Occasion shall be offered to
' us.

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Next was read a Copy of the *Petition* of the
County of *York*, which the King had refused to
accept.

To the KING's Most Excellent Majesty,

THE HUMBLE PETITION of the GENTRY, MI-
NISTERS, FREEHOLDERS, and other Inhabi-
tants of the County of YORK.

Sheweth,

THAT this particular County (most affectionate
to your Majesty's Service) hath willingly, for
three Years last past, been the Stage whereon the tra-
gical Miseries (which necessarily accompany War and
Armies) have been represented and acted; whereby
the general Wealth and Plenty of this County is ex-
hausted and brought very low; which Weight of Mi-
series are sensibly become much more heavy by reason of
your Majesty's Distance in Residence, and Difference
in Councils, from your great Council the Parliament;
begetting great Distempers and Distractions through-
out the Kingdom, and have evidently, amongst us,
produced Factions and Divisions; drawing to these
Parts

A Petition offer-
ed by Sir Thomas
Fairfax, which
the King refused
to accept.

An. 16. Car.

1649.

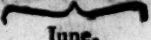
June.

I. Parts great Numbers of discontented Persons, who, it may too justly be feared, do affect the Public Ruin for their private Advantage.

All these Evils are daily fomented, and grown more formidable, by your Majesty's drawing together (as we conceive not according to Law) many Companies of the Trained Bands and others, both Horse and Foot, of this County; by your entertaining Multitudes of Commanders and Cavaliers from other Parts; by the daily Resort of Recusants, and Persons disaffected in Religion, to your Majesty's Court at York; and by the great Preparation of Arms and other Warlike Provisions. These beget in us Fears of Wars, to the great Terror and Amazement of us your Majesty's peaceable Subjects, and the great Decay of all Commerce and industrious Courses for the Wealth and Prosperity of the Country, especially of Cloathing, which is the main Subsistence of this County; and which is, since your Majesty's Residence with us, and the following Distractions thereupon, suddenly obstructed; insomuch that many thousand Families who are of, and have their Livelihood by, the Trade of Cloathing, are at the Point of utter Undoing; which inevitably will prove to be of dangerous Consequence, and will be the Inlet to our approaching and unavoidable Ruin, unless your Majesty graciously please to give Redress by removing the Causes, which will remove these miserable Effects.

It is too true that very many, in these and other Parts of the Kingdom, do wholly withdraw themselves from their former Commerce and Dealing; and others, both Merchants and Chapmen, do now generally refuse to make Payments for Goods long since sold and delivered; alledging that others refuse to pay them for any other Commodities formerly sold, till the Fears and Distractions of the Land be settled: This, if not suddenly prevented, will forthwith overturn all such Ways of Advantage and Comfort, as have formerly made this Kingdom, and this County in particular, prosperous and happy.

We do therefore, in all Humility and Duty, in the Sense of our deplorable Condition, beseech your Majesty

to pardon us if we importune your Majesty more than An. 18. Car. I.
 others; since we have endured, and are in Hazard, 1642.
 more than any; and that, from these Apprehensions, 
 we may offer to your Majesty our earnest Petitions for
 Redress and Prevention of these Evils, daily threat-
 ning Danger to your Majesty and Destruction to us;
 which we conceive is impossible any other Way to be
 effected than by your Majesty's entertaining a right
 Understanding betwixt yourself and Parliament; by
 inclining your gracious Ear and Consent to such Coun-
 cils and Propositions as shall be tendered, by them to
 your Majesty, for the Honour and Greatness of your
 Majesty and Posterity, and the Good of the Church
 and Kingdom; by your Majesty's declining all other
 Councils whatsoever, and uniting of your Confidence to
 your Parliament: And that your Majesty would in
 no way think fit to put us upon that Rock of denying
 either the Duty we owe to your Majesty, or to your
 Parliament and the whole Kingdom, to which we are
 so deeply engaged by our Protestation; which your
 Majesty, to our Knowledge, never dissented from nor
 declared against: And that, whilst your Majesty ex-
 pects our Performance on our Part thereof, we may
 not, being equally engaged, impeach at all or in the
 least Degree go against our Duty in the other; which
 we stand resolved, by no Means either of Fear or
 Favour, to be drawn to do.

And we humbly intreat your Majesty to take into
 Consideration, That your Parliament being the su-
 pream Judicatory of your Kingdom, the very Essence
 thereof must of very Necessity be destroyed, if their
 Counsels and Determinations be subjected to Alteration
 or Reversal by the Counsels or Opinions of any private
 Person, how learned or judicious soever: And, seeing
 your Majesty hath most graciously passed an Act, That
 this Parliament shall not be dissolved, nor adjourned,
 without Consent of your Majesty and both Houses,
 we do humbly beseech your Majesty to take into your
 gracious and prudent Thoughts that nothing may be
 done tending thereunto: and that the Lords and great
 Officers, now called hithe by your Majesty's Com-
 mand, may speedily be returned to the High Court of
 Par-

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Parliament; whereby it may be evident to the World, that your Majesty intends not to decline the Law so enacted: And that, since your Majesty hath graciously declared your Confidence in the Affections of this County, your Majesty would not think it fit an extraordinary Guard should be raised thereout; and the Cavaliers, and others of that Quality, still continued about your Majesty, as Men most useful, and as if kept for some Design; they not having, for ought we know, either Interest in, or Affections to, the Public Good; their Language and Behaviour speaking nothing but Division and Wars, and their Advantage consisting in that which is most destructive to others.

And, lastly, That since your Majesty hath called in this County to attend your Majesty this Day, your Petitioners do most humbly supplicate, That none, either Cavaliers or others, who in Truth have not present Fortunes in this County, may be admitted into any Meeting, this Day, concerning the Public Business thereof; nor hereafter be present at any Vote or Consultation, when any further Meeting may be, to prepare and consider of some fit Answer to what your Majesty shall propound: We humbly conceiving it neither just nor equal (but a Thing to be protested against) that any whosoever should be thrust upon us as Men of this County, that are not, by their Fortune and Residence, any Part of us.

And now your Petitioners do most heartily pray, That the God of Heaven, in whose Hands are the Hearts of Kings, would this Day incline your Majesty's Heart seriously to consider the present and imminent Miseries that this your Kingdom lies under; in the Peace whereof visibly, under God, consists the Preservation of the Protestant Religion, the Redemption of our Brethren in Ireland, and the Establishing of that Kingdom to your Majesty and Posterity from those desperate and unparalleled Rebels.

Your Majesty's graciously granting of these your Petitioners humble Desires, (whatsoever may be said to the contrary) they are well assured, will abundantly redound to the Glory of God, the Honour and Safety of your Majesty, and the Good of your Posterity.—

These

OF ENGLAND. 173.

These are the only probable Means, under God, to An. 18. Car. I.
restore Peace and Plenty, and to make this your 1642.
Kingdom happy; besides the happy Acquisition of your
People's Hearts, the greatest Treasure of Princes:
All these will, graciously, represent your Majesty's
lively Portraiture to him who is the Fountain of Wis-
dom and Piety, to whom we shall ever pray for your
Majesty's long and prosperous Reign. June.

Then was read another *Petition* from the Gentry, &c. of the same County to the Parliament, on Occasion of the King's refusing to receive the former.

To the Right Hon. the LORDS and COMMONS in the High Court of Parliament assembled.

THE HUMBLE PETITION of the GENTRY, MINISTERS, FREEHOLDERS, and other INHABITANTS of the County of York, assembled there, at his MAJESTY'S Command, the third of June 1642.

WE, being resolved humbly to petition his Majesty Another to the
 for the Redress of those Grievances which we now Parliament, on
 lie under, did desire to have met in the Castle Yard at his Majesty's
 York; we conceiving it the fittest Place to consider of Refusal of the
 such Public Affairs as concerned the County: This we former.
 were not only denied, but Charge was given to the
 Officer there, that we should not have Admittance:
 When we assembled upon the Place appointed by his
 Majesty, and did acquaint the County, there met,
 with a Form of a Petition, (the Sense whereof they
 formerly approved of; and then, upon the Reading
 thereof, generally consented to, and desired the same
 should be presented to his Majesty) we were violently
 interrupted by the Earl of Lindsey, who, with a great
 Troop attending him, in an imperious Way, snatched
 out of a Gentleman's Hand of good Quality, a Copy
 of the aforementioned Petition, which, at the Desire
 of the Country, he was reading to them: And said,
 You are a Company of Traiterous Rogues and Vil-
 lains, and often lifted up his Cane as if he would have
 struck

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1642.

June.

struck him. Also a Knight of this County was affronted by the Lord Saville, upon his reading to himself the Draught of a Petition upon the Place aforesaid, the Day above. First, his Lordship told him, It was a Pamphlet, which he denied; thereupon the Lord Saville demanded it of him, which he refusing to deliver, his Lordship laid Hands upon his Sword, and almost pluck'd him from his Horse; and took the Petition from him, saying, That he was labouring to sow Seeds of Sedition; and, if he would fight, there would be Fighting enough. Many of the said Lord Saville's Company also held up their Canes at him; and one of them said, Hold your Prating, it were good to cane you. This Provocation, had not the People been peaceably inclined, might have produced bloody Effects; notwithstanding all which, and divers other insufferable Injuries, so confident were we of his Majesty's former Profession, Never to refuse any Petition presented by his People to him in an humble Way, that we desisted not to wait our best Opportunity to present the said Petition to his Majesty; a Copy whereof we here humbly present unto your grave Considerations, which his Majesty, notwithstanding, pleased not to accept of.

We therefore humbly desire these Honourable Houses well to weigh these Particulars, and to take such Course therein, as may tend to the Preservation of our Liberties, and the Peace of the Kingdom; and that you would be pleased to address yourselves to his Majesty on our Behalf, that, through your Wisdoms, our Desire may find better Acceptation with his Majesty.

And we shall heartily pray, &c.

Lastly, was read a Copy of a Letter sent from York, by Sir John Bouchier to Sir Thomas Barrington, Bart. a Member of the House of Commons.

Dear Cousin,

Sir John Bouchier's Letter on the same Occasion.

Yesterday, being at Heworth-Moor, seeing one reading something, I drew near to him, and by Inquiry I found that it was a Petition, that was to

be

be presented presently to his Majesty; those that heard it read approved of it. Meeting with a Friend, I inquired of him, if he had not the Petition, or a Copy of it, which he told me, He had. I entreated him to lend it me, which accordingly he did: Having read Part of it, my Lord Saville came with a great Company, in a furious Manner, and demanded what I did there; and told me, That I was reading some Pamphlet to the People, and that I was labouring to sow some Seeds of Sedition to seduce the King's Subjects; whereupon I told him, It was a Petition that I was reading privately to myself, which, upon his Approach, I had put in my Pocket. My Lord Saville, in an imperious Manner, demanded of me, To deliver it to him, which I refused: Then his Lordship laid his Hand upon the Belt of my Sword, and almost pulled me off my Horse; and forced me to deliver the Petition to him. His Lordship told me, If we loved Fighting we should have Fighting enough; I answered, I came this Day to labour for Peace. Before his Lordship's Departure, he told me, That he knew me well enough; I answered his Lordship, I hoped he knew no Ill by me. Many that were with his Lordship held up their Canes, in a terrifying Manner; and one of them said, Hold your Prating, it were good to cane you: And when his Lordship and the rest were gone, one of them turned back, and bid me be quiet, else I should be caned: Adding, That it were a good Deed to put me in the Stocks. Afterwards, I being discoursing with Sir Richard Darley and some others, and telling them, how I was affronted, even now, by my Lord Saville; and formerly, having Fire thrown into my Coach, and some other Affronts done unto me, which I have formerly told you of, one Capt. Playne, who was one of my Lord Saville's Company, came up, and told me, I did ill to lay Aspersions upon Persons of Honour; whereupon I told him, I did not lay it upon my Lord, but only that I was so abused and affronted: Upon due Consideration, I verily believe he came to make some Quarrel.

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June.

Sir,

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1642.

June.

Sir, upon my parting from you, you desired to hear from me here, I thought good to let you know thus much concerning myself. I rest,

Your affectionate Cousin

York, June 4,
1642.

to serve you,

JOHN BOURCHIER.

The Parliament
declare the Earl of
Lindsey and Lord
Saville, Enemies
to the State,

The Lords having taken into their Consideration all the foregoing Particulars, *ordered*, That the Earl of *Lindsey*, Lord Great Chamberlain, and the Lord *Saville* should be apprehended by the Sheriff of *Yorkshire*, and be conveyed, from Sheriff to Sheriff, to the House. These two Lords were, at the same Time, voted *Public Enemies of the State, and Incendiaries between the King and his People.*

The following *Resolution* was also agreed to by both Houses.

And resolve to
support the York-
shire Petitioners.

‘ The Lords and Commons, observing not only the Wisdom, but the Affections of the County of *York*, expressed in these *Petitions*; and likewise that they cannot be discouraged from their constant Fidelity to the Laws and Government of this Kingdom, which have their Life and Being from the Parliament; have thought fit to declare their good Acceptations of their Affections; assuring them, That they will interest themselves in those their Demands, which tend to the Honour and Safety of his Majesty, and the Peace of his Kingdom; and may prove an effectual Means to keep us from the desperate Mischiefs, which those Lords, that opposed this Petition, would have brought this Kingdom unto.’

The King having published, the latter End of last Month, a *Proclamation* concerning the *Militia*; and the same having been communicated to the Commons by their Committee at *York*, that House resolved to appoint another Committee to prepare a *Declaration* in Answer thereto, ‘ To shew how danger-

dangerously the Privileges of Parliament have been broken of late, even at this Time, when the King professeth to rule by Law; and the dangerous Consequences of these Breaches.' This *Declaration*, having gone through several Alterations by the Commons, was at length passed, and ordered to be sent up to the Lords by Mr. Pymme. Their Lordships having agreed thereto, it was, by *Order* of both Houses, printed and published this Day. But first we shall give the *Proclamation* itself.

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By the KING.

A PROCLAMATION forbidding all his Majesty's Subjects, belonging to the Train'd Bands or Militia of this Kingdom, to rise, march, muster, or exercise, by virtue of any Order or Ordinance of one or both Houses of Parliament, without Consent or Warrant from his Majesty, upon Pain of Punishment according to the Laws.

W Hereas, by the Statute made in the seventh Year of King Edward I. The Prelates, Earls, Barons, and Communalty of the Realm, affirmed in Parliament, That to the King it belongeth, and his Part it is, by his Royal Seignory, straitly to defend wearing of Armour, and all other Force against the Peace, at all Times when it shall please him, and to punish them which shall do contrary, according to the Laws and Usages of the Realm; and hereunto all Subjects are bound to aid the King as their Sovereign Lord, at all Seasons, when Need shall be: And whereas we understand that, expressly contrary to the said Statute, and other good Laws of this our Kingdom, under Colour and Pretence of an Ordinance of Parliament, without our Consent, or any Commission or Warrant from us, the Train'd Bands and Militia of this Kingdom have been lately, and are intended to be, put in Arms, and drawn into Companies in a warlike Manner, whereby the Peace and Quiet of our Subjects is, or may be, disturbed: We be-

The King's Proclamation forbidding Obedience to the Ordinance for the Militia.

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ing desirous, by all gracious and fair Admonitions, to prevent that some malignant Persons in this our Kingdom do not, by Degrees, seduce our good Subjects from their due Obedience to us and the Laws of this our Kingdom; subtilly endeavouring, by a general Combustion or Confusion, to hide their mischievous Designs and Intentions against the Peace of this our Kingdom; and, under a specious Pretence of putting our Train'd Bands into a Posture, to draw and engage our good Subjects in a warlike Opposition against us, as our Town of *Hull* is already by the Treason of Sir *John Hotham*; who, at first, pretended to put a Garrison into the same only for our Security and Service:

We do therefore, by this our *Proclamation*, expressly charge and command all our Sheriffs, and all Colonels, Lieutenant-Colonels, Serjeant-Majors, Captains, Officers, and Soldiers belonging to the Train'd Bands of this our Kingdom, and likewise all High and Petty Constables, and other our Officers and Subjects whatsoever, upon their Allegiance, and as they tender the Peace of this our Kingdom, not to muster, levy, rise, or march, or to summon or warn, upon any *Warrant*, *Order*, or *Ordinance* from one or both our Houses of *Parliament*, (whereto we have not, or shall not give our expresse Consent) any of our Train'd Bands; or other Forces, to rise, muster, march, or exercise, without expresse *Warrant* under our Hand, or *Warrant* from our Sheriff of the County, grounded upon a particular *Writ* to that Purpose, under our Great Seal. And in case any of our Train'd Bands shall rise, or gather together, contrary to this our Command, we shall then call them in due Time to a strict Account; and proceed legally against them as Violaters of the Laws, and Disturbers of the Peace of the Kingdom.

Given at our Court at York, the 27th Day of May, 1642.

The

The Parliament's DECLARATION, in Answer to the foregoing PROCLAMATION.

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The Parliament's
Declaration in
Answer thereto.

‘ **T**HE Lords and Commons, having perused
‘ his Majesty’s *Proclamation*, forbidding all
‘ his Majesty’s Subjects belonging to the Train’d
‘ Bands or Militia of this Kingdom, to rise, march,
‘ muster, or exercise, by virtue of any *Order* or
‘ *Ordinance* of one or both Houses of *Parliament*,
‘ without *Consent* or *Warrant* from his *Majesty*,
‘ upon Pain of Punishment according to the Laws:
‘ Do thereupon declare, That neither the Statute of
‘ 7. *Edward I.* therein vouched, nor any other Law
‘ of this Kingdom, doth restrain or make void the
‘ *Ordinance* agreed upon by both Houses of *Parlia-*
‘ *ment* for the ordering and disposing of the *Militia*
‘ of the Kingdom, in this Time of extream and
‘ imminent Danger; nor expose his Majesty’s Sub-
‘ jects to any Punishment for obeying the same,
‘ notwithstanding that his Majesty hath refused to
‘ give his *Consent* to that *Ordinance*; but ought to
‘ be obeyed by the Fundamental Laws of this King-
‘ dom.

‘ The Statute of 7. *Edward I.* [*Anno 1279.*] quo-
‘ ted in his Majesty’s *Proclamation*, runneth thus:

‘ *The King to the Justices of his Bench sendeth greeting:*
‘ *Whereas of late, before certain Persons deputed to*
‘ *treat upon sundry Debates had between us and certain*
‘ *great Men of our Realm, amongst other Things, it*
‘ *was accorded, That, in our next Parliament, after*
‘ *Provision shall be made by us and the common As-*
‘ *sent of the Prelates, Earls, and Barons, that in all*
‘ *Parliaments, Treaties, and other Assemblies which*
‘ *should be made in the Realm of England for*
‘ *ever, every Man shall come without all Force and*
‘ *Armour, well and peaceably, to the Honour of us,*
‘ *and the Peace of us and our Realm; and now, in*
‘ *our next Parliament, at Westminster, after the said*
‘ *Treaties, the Prelates, Earls, Barons, and the Com-*
‘ *munity of our Realm there assembled to take Ad-*
‘ *vice of this Business, have said, That to us it belong-*
‘ *eth, and our Part is, through our Royal Seigniority,*

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straitly to defend Force of Armour, and all other Force against our Peace, at all Times when it shall please us; and to punish them which shall do contrary, according to our Laws and Usages of our Realm; and hereunto they are bound to aid us, as their Sovereign Lord, at all Seasons when Need shall be: We command you that you cause these Things to be read afore you in the said Bench, and there to be enrolled. Given at Westminster the 30th Day of October.

The Occasion of this Declaration for the Restraint of armed Men, from coming to the Parliament to disturb the Peace of it, is very improperly alledged for the Maintenance of such Levies as are now raised against the Parliament; the Title of the Statute being thus, To all Parliaments and Treaties every Man shall come without Force and Arms: So that the Question is not, Whether it belong to the King or no to restrain such Force; but, if the King shall refuse to discharge that Duty and Trust, whether there is not a Power in the two Houses to provide for the Safety of the Parliament, and Peace of the Kingdom? Which is the End for which the Ordinance for the Militia was made; and, being agreeable to the Scope and Purpose of the Law, cannot, in Reason, be adjudged contrary to it; for although the Law do affirm it to be in the King, yet it doth not exclude those in whom the Law hath placed a Power for that Purpose, as in the Courts of Justice, in Sheriffs, and other Officers and Ministers of those Courts; and though their Power is derived from the King by his Patents, yet it cannot be restrained by his Majesty's Command, by his Great Seal, or otherwise; much less can the Power of Parliament be concluded by his Majesty's Command, because the Authority thereof is of a higher and more eminent Nature than any of those Courts.

It is acknowledged that the King is the Fountain of Justice and Protection; but the Acts of Justice and Protection are not exercised in his own Person, nor depend upon his Pleasure; but
by

by his Courts, and by his Ministers, who must do their Duty therein, though the King, in his own Person, should forbid them; and therefore, if Judgments should be given by them against the King's Will and personal Command, yet are they the King's Judgments.

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The High Court of Parliament is not only a Court of Judicature, (enabled by the Laws to adjudge and determine the Rights and Liberties of the Kingdom against such Patents and Grants of his Majesty as are prejudicial thereunto, although strengthened both by his personal Commands, and by his Proclamation under the Great Seal) but it is likewise a Council to provide for the Necessity, to prevent the imminent Dangers, and preserve the Public Peace and Safety of the Kingdom, and to declare the King's Pleasure in those Things as are requisite thereunto; and what they do herein hath the Stamp of Royal Authority, although his Majesty, seduced by evil Counsel, do, in his own Person, oppose or interrupt the same; for the King's supream Power and Royal Pleasure is exercised and declared in this high Court of Law and Council, after a more eminent and obligatory Manner, than it can be by any personal Act or Resolution of his own.

Seeing therefore the Lords and Commons, which are his Majesty's greatest and highest Council, have ordained, That, for the present and necessary Defence of the Realm, the Train'd Bands and Militia of this Kingdom should be ordered according to that *Ordinance*; and that the Town of *Hull* should be committed to the Custody of Sir *John Hotham*, to be preserved from the Attempts of *Papists* and other Malignant Persons, who thereby might put the Kingdom into a Combustion: This is so far from being a Force against the King's Peace, that it is necessary for the keeping and securing thereof, and for that End alone is intended; and all his Majesty's loving Subjects, as well by that Law, as by other Laws, are bound to be obedient thereunto; and what they do

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therein is, according to that Law, to be interpreted to be done in Aid of the King, in Discharge of that Trust which he is tied to perform; and it is so far from being liable to Punishment, that if they should refuse to do it, or be persuaded by any Commission or Command of his Majesty to do the contrary, they might justly be punish'd for the same according to the Laws and Usages of the Realm; for the King, by his Sovereignty is not enabled to destroy his People, but to protect and defend them; and the High Court of Parliament, and all other his Majesty's Officers and Ministers, ought to be subservient to that Power and Authority which Law hath placed in his Majesty to that Purpose, though he himself, in his own Person, should neglect the same:

Therefore the Lords and Commons do declare the said *Proclamation* to be void in Law, and of none Effect: For that, by the Constitution and Policy of this Kingdom, the King, by his *Proclamation*, cannot declare the Law contrary to the Judgment and Resolution of any of the inferior Courts of Justice, much less against the High Court of Parliament; for if it were admitted, That the King, by his *Proclamation*, may declare a Law, thereby his *Proclamations* will, in effect, become Laws; which would turn to the subverting of the Law of the Land and the Rights and Liberties of the Subjects.

And the Lords and Commons do require and command all Constables, Petty Constables, and all other his Majesty's Officers and Subjects whatsoever, to muster, levy, rise, march and exercise; or to summon or warn any, upon Warrant from the Lieutenants, Deputy-Lieutenants, Captains, or other Officers of the Train'd Bands, and all others according to the said *Ordinance* of both Houses; and shall not presume to muster, levy, rise, march, or exercise, by virtue of any Commission or other Authority whatsoever, as they will answer the contrary at their Peril: And in their so doing they do further declare, That they shall

'shall be protected by the Power and Authority of An. 18. Car. 1.
'both Houses of Parliament; and that whosoever 1642.
'shall oppose, question, or hinder them in the Ex-
'ecution of the said *Ordinance*, shall be proceeded
'against as Violaters of the Laws, and Disturbers
'of the Peace of the Kingdom.'

June 7. On the first of this Month the Com- A Gratuity of
mons had ordered 50 l. to be paid to Mr. *Rushworth*, 150 l. given to
towards defraying the Charge of his several Jour- Mr. *Rushworth*
nies to *York*: And that, upon his Return, they would for his Services.
further consider his Merits, Pains, and Hazards in
those several Journeys.—Accordingly we find, in the
Journals of this Day, that the House ordered him
100 l. more, and promised, That, for his Pains and
Fidelity in these Services, they would take him into
further Consideration hereafter.

In the Afternoon of this Day a Letter, directed
to the Speaker of the House of Lords, was read as
follows:

My Lord,

WE, whose Names are underwritten, have received A Letter to the
a Summons, dated the 30th Day of May, to House of Lords
appear, the 8th of June, at the Bar of the House of from nine Peers
Peers; we are come here to *York*, at this Time, to at *York*.
pay a willing Obedience to his Majesty's Commands,
signified by Letter under his Hand, which Commands
remain upon us still; and so we rest

Your Lordships affectionate Servants,

NORTHAMPTON
WILL. DEVONSHIRE
MONMOUTH
R. RICH
HEN. DOVER
GREY of *Ruthyn*
C. HOWARD
THO. COVENTREY
ARTHUR CAPEL.

York, June 5,
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Ordered,

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Ordered, That this *Letter* be taken into Consideration To-morrow; and that all the Lords in Town have Notice to be present.

June 8. The Commons received a Message from the Lords, desiring a present Conference concerning certain *Letters* from the Lord Willoughby of *Parham*, Lord Lieutenant of *Lincolnshire*, which was agreed to. Soon after Mr. *Holles* reported, That those *Letters* concerned some Passages touching the *Militia* in that County; and delivered the same to the House, which were read as follows:

My Lord,

Another from Lord Willoughby, concerning his raising the Militia in Lincolnshire.

I Received a Letter from your Lordship, in which the House is pleased to do me a very great Honour, far above any Desert of mine, and little expected by me: For, my Lord, I well know my Obedience ties me to fulfil their Commands; and in what I have done, I have done but my Duty, and that which every honest Man ought to do, and oweth of Right to the Parliament; and whosoever hath that Principle in him, it will dictate to him as much, and keep him from other Bye-ways. And for my own Part, my Heart ever was, and shall ever be, both forward and ready to obey their Lordships Commands in all Things, both with Integrity and Industry, and God's Curse light upon him and his, that carries any other Heart about him.

My Lord, it is too mean a Way for me to express my Acknowledgement, in Paper, to the House for this high Favour, which I have received by your Lordship's Letter. I hope to make it appear to their Lordships, by my Actions, that I am not an ungrateful Servant.

It is a great Encouragement to these Parts, their Lordships Resolutions, in giving their Commands to have the rest of the Militia put in present Execution; and truly, my Lord, it was out of that Regard that I did intimate it to my Lord of Essex; as holding it a Thing much conducing to the Public Good, and the only Remedy to cure these Distractions which the Kingdom is in, not out of any Regard to myself; for I know, if

I

OF ENGLAND. 185

I suffer in executing their Lordships Commands, it must be against their Wills; and when that Day comes, I will not give a Straw for all I have, were I but a Looker-on.

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June.

My Lord, as I was this Day at Lincoln, where I appointed to begin to muster, there came a Messenger from his Majesty, with this Letter; which I held it my Duty to acquaint the House with, and likewise my Answer; and, as at Lincoln, so in all other Places, I shall be ready to serve your Lordship as

Your most humble Servant,

Lincoln, June 6,
1642.

F. WILLOUGHBY.

P. S. My Lord, ere my Letter was sealed up, I could not but give your Lordship an Account in how good a Posture I found the Trained Bands of Lincoln, which was far beyond my Expectation; considering the Unhappiness in the Sickness being spread in the Town, which hindered the Appearance of some: But, truly, my Lord, that was fully supplied by a Company of Voluntiers, equal in Number and Goodness of Arms to the Trained Bands.

The King's Letter to Lord Willoughby of Parham.

CHARLES R.

Right Trusty and Well-beloved, we greet you well.

W Hereas we understand that you have begun to assemble, train, and muster the Trained Bands of our County of Lincoln, under Pretence of an Ordinance of Parliament, whereto we have not given our Consent; which is not only contrary to Law, but to our Command and Pleasure. signified by our Proclamation sent to the Sberiff of that our County: Wherefore, that you may not hereafter plead Ignorance of such our Prohibition, we do, by these our Letters, command and charge you, upon your Allegiance, to desist and forbear to raise, muster, train, exercise, or assemble together any Part of the Trained Bands of

The King's Letter commanding him to desist.

An. 18. Car. 1. of that our County, either by yourself, or by any
1642. others employed under you, or by Warrant from you.

June.

And because you may, for what you have already done concerning the Militia of that our County, plead that you had not so particular a Command, we shall pass by what you have already done therein; so as presently, upon your Receipt hereof, you shall desist and give over meddling any further with any Thing belonging to the Militia of that our County; but if you shall not presently desist and forbear meddling therewith, we are resolved to call you to a strict Account for your Disobedience therein, after so many particular and legal Commands given you, upon your Allegiance to the contrary, and shall esteem and proceed against you as a Disturber of the Peace of our Kingdom.

Given at our Court at York, June 4, 1642.

Lord Willoughby's Answer to his Majesty.

S I R,

Lord Willough-
by's Answer to
his Majesty.

AS there can be nothing of greater Unhappiness to me, than to receive a Command from your Majesty, whereunto my Endeavours cannot give so ready an Obedience, as my Affections; so I must confess the Difficulty, at this Time, not a little, how to express that Duty which I owe to your Majesty's late Commands, and not falsify that Trust reposed in me by your High Court of Parliament; through whose particular Directions I am now come into this County to settle the Militia, according to the Ordinance of Parliament; which, by the Votes of my Lord Littleton, and others in the House of Peers better versed in the Laws than myself, passed as a legal Thing; and hath since been confirmed, if I mistake not, by his Example, and your Majesty's Chief Justice, Sir John Bankes; both in their accepting Commissions under that Ordinance, and nominating their Deputy-Lieutenants: How much farther they proceeded, I know not.

But, Sir, if the Opinions of those great Lawyers drew me into an Act unsuitable to your Majesty's Li-
king

king, I hope the Want of Years will excuse my Want of Judgment. And since, by the Command of the Parliament, I am now so far engaged in their Service, as the sending out Warrants to summon the County to meet me this Day at Lincoln, and afterwards in other Places, I do most humbly beseech your Majesty not to impose that Command upon me, which must needs render me false to those that rely on me; and so make me more unhappy than any other Misery that can fall upon me.

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These Things, Sir, I once more humbly beseech your Majesty may be taken into your gracious Consideration; and that you would never be pleased to harbour any Misconceit of me, or of this Action; since nothing hath yet passed by my Commands here, or ever shall, but what shall tend to the Honour and Safety of your Majesty's Person, to the Preservation of the Peace of your Kingdom, and to the Content, I hope, of all your Majesty's Subjects in these Parts; amongst which I remain,

Your Majesty's

most humble and most dutiful

Subject and Servant,

F. WILLOUGHBY.

Mr. Holles also acquainted the House, That the Lords had passed a *Vote* upon Occasion of the foregoing *Letters*, to which they desired the Commons Concurrence, *in hæc Verba*:

‘ The Lords have thought fit to let you know, The Lords resolve to support the Lord Willoughby,
‘ how much they value and approve the Endeavours of this Lord, in a Service so much importing the Safety of this Kingdom; and they doubt not of your Readiness to concur with them, upon all Occasions, to manifest the Sense they have, and shall retain, of his Deservings; which appear the greater, by how much the Difficulties (by those Circumstances you have heard read) have been greater. And as my Lords resolve to make his Interest their own, in this Service, for the Public Good, and Safety of this Kingdom, so they desire
‘ you

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Ad. 18. Car. 1. 'you to join with them, in so good and necessary
1642. 'a Work.'

June.

The Commons agreed to this *Vote*; which, together with the *Letters*, was ordered to be printed and published.

The same Day the Lords took into Consideration the Letter from the nine Lords at *York*, and agreed upon a Conference with the other House about it, expressing their Sense of the Matter in the following Manner:

And pass a Vote
against the nine
Peers before-
mentioned.

'The Lords having received a Letter from divers of their Members, who have withdrawn themselves from their Attendance in Parliament, contrary to the express Orders and Commands of this House; tho' this Affront be to their own House, and by their own Members, yet, as it concerns the Safety of the Kingdom, and the very Being of Parliament, in the Consequence of it, the Lords, in that Respect, thought it fit to communicate it to the House of Commons; that both Houses may, jointly, endeavour to prevent such Practices and Designs as, by the Malignant Party and the ill-affected Members of both Houses, may be undertaken, to the Dissolution of the Parliament, invalidating the Acts and Authority thereof, or raising a Power in Opposition thereunto; which the Lords cannot but conceive those Lords are encouraged unto by the Counsels now prevailing, and the Forces now raising at *York*; otherwise it is not imaginable, after a *Vote* passed by both Houses, That it appeared the King, seduced by wicked Counsel, intended to make War against his Parliament, they would have taken the Boldness to have left the House, in Contempt of the Command thereof, and have gone to *York*; and, being summoned to appear, would have remained there notwithstanding, and have returned so slight and scornful an Answer.'

June 9. The Lords having desired to know of the Commons, at a Conference, what real Informations

mations they have had, that the King had sent out *Summons* into the County of *York*, and other Counties, for raising of Troops, &c. under Colour of his Majesty's Service, with large Offers to those that would come in. The Commons answered, That they had received Intelligence, at their Bar, that the King had sent to summon *Lancashire*, *Cumberland*, and *Westmoreland*; and that some of their Members had Letters of the same: But they are willing to drop those Counties, it being notorious only in *Yorkshire*.

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Informations of
the King's raising
Troops:

June 10. This Day a *Message* was brought from the House of Commons, declaring, That their Members had entered into an Engagement, separately, to bring in Money, Plate, and Horses, for the Public Use; as the only Remedy to maintain the *Protestant* Religion, the King's Authority, and his Person in his Royal Dignity; the free Course of Justice, the Laws of the Land, the Peace of the Kingdom, and the Privileges of Parliament. They also hoped their Lordships would put the same in Execution, and declare themselves and their Affections, what they would do therein, since they had more to lose than the House of Commons. (n)

Whereupon a
Subscription is
begun, by both
Houses, of Money
and Horses,

Hereupon the Lords present subscribed to bring in as follows:

	L.	Horses.
The Lord Admiral, Earl of } Northumberland, —	2000	
Earl of Essex —	1000	20
Earl of Holland —		30
Earl of Pembroke —	1000	40
Earl of Bedford —	800	

Earl

(n) Lord Clarendon informs us, 'That when this Subscription was set on Foot in the House of Commons, Sir Henry Killgrew, being called upon, told them, 'If there were Occasion, he would provide a good Horse, and a good Sword; and made no Question but he should find a good Cause:' But, within very few Days, both he, and all those that were taken Notice of for refusing, found it safest for them to leave the Town; there being very visibly great Animosity against them, both within and without the Walls.'

Clarendon's Hist. 8vo. Edit. Vol. II. p. 651.

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Earl of <i>Leicester</i> , Lord-Lieutenant, going for <i>Ireland</i> .	L.	Horse.
Earl of <i>Bolingbroke</i> ———	500	20
Earl of <i>Lincoln</i> ———		20
Lord <i>Say and Sele</i> ———	1000	
Earl of <i>Bristol</i> desired some Time to consider of it.		
Lord <i>Paget</i> ———		10
Lord <i>Kimbolton</i> ———		10
Lord <i>Roberts</i> ———	1000	
Lord <i>Brooke</i> ———	1000	20
Lord <i>Grey de Werk</i> ———	1000	
Lord <i>Fielding</i> ———	500	10
Lord <i>North</i> ———	200	
Lord <i>St. John</i> ———		10
Lord <i>Rochfort</i> ———		10
Lord <i>Wharton</i> ———	300	6

The Horsemen were all to be completely armed, and many of the Lords engaged to serve in Person.

A Committee of Lords was appointed to receive the Answers of those Lords who were absent, how far they would act in this Affair; the Judges and other Assistants to the House were also to be urged to subscribe to it: And, in order to forward this Subscription more effectually throughout the whole Kingdom, the following *Proposition* was agreed to by both Houses:

And a Proposition for paying Eight, per Cent. Interest to such as contribute thereto.

WHereas it appears that the King, seduced by wicked Counsel, intends to make War against his Parliament; and, in pursuance thereof, under Pretence of a Guard for his Person, hath actually begun to levy Forces both of Horse and Foot, and sent out *Summons* throughout the County of *York*, for the Calling together great Numbers; and some ill-affected Persons have been employed in other Parts, to raise Troops, under Colour of his Majesty's Service, making large Offers of Reward and Preferment to such as will come in: And that his Majesty doth, with a high and forcible Hand, protect and keep away Delinquents,

quints, not permitting them to make their Appearance, to answer such Affronts and Injuries as have been by them offered unto the Parliament; and those Messengers which have been sent from the Houses for them, have been abused, beaten, and imprisoned; so as the *Orders* of Parliament, which is the highest Court of Justice in this Realm, are not obeyed, and the Authority of it is altogether scorned and vilified; and such Persons as stand well-affected to it, and declare themselves sensible of these public Calamities, and of the Violations of the Privileges of Parliament, and common Liberty of the Subject, are baffled and injured by several Sorts of malignant Men who are about the King; some whereof, under the Name of *Cavaliers*, without having Respect to the Laws of the Land, or any Fear either of God or Man, are ready to commit all Manner of Outrage and Violence; which must needs tend to the Dissolution of this Government, the Destroying of Religion, Laws, Liberty, and Property; all which will be exposed to the Malice and Violence of such desperate Persons, as must be employed in so horrid and unnatural an Act as the Overthrowing of a Parliament by Force, which is the Support and Preservation of them all: This being duly considered by the Lords and Commons, and how great an Obligation lies upon them in Honour, Conscience, and Duty, according to the high Trust reposed in them, to use all possible Means in such Cases, for the timely Prevention of so great and irrecoverable Evils; they have thought fit to publish their Sense and Apprehension of this imminent Danger, thereby to excite all well affected Persons to contribute their best Assistance, according to their solemn Vow and *Protestation*, to the Preparations necessary for the opposing and suppressing of the traiterous Attempts of these wicked and malignant Counsellors, who seek to engage the King in so dangerous and destructive an Enterprize, and the whole Kingdom in a Civil War,

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June.

‘ War, and destroy the Privileges and Being of
 ‘ Parliaments: This Recourse to the good Affec-
 ‘ tions of those that tender their Religion and just
 ‘ Liberties, and the Enjoyments of the blessed Fruits
 ‘ of this present Parliament, which were almost
 ‘ ready to be reaped, and are now as ready to be
 ‘ ruined by those wicked Hands, being the only
 ‘ Remedy left them, under God; and without
 ‘ which they are no longer able to preserve them-
 ‘ selves, or those by whom they are entrusted.

I. ‘ They the said Lords and Commons do *de-
 ‘ clare*, That whosoever shall bring in any Propor-
 ‘ tion of ready Money, or Plate, or shall under-
 ‘ write to furnish and maintain any Number of
 ‘ Horse, Horsemen, and Arms, for the Preserva-
 ‘ tion of the Public Peace, and for the Defence of
 ‘ the King and both Houses of Parliament from
 ‘ Force and Violence, and to uphold the Power
 ‘ and Privileges of Parliament, according to his *Pro-
 ‘ testation*; it shall be held a good and acceptable
 ‘ Service to the Common Wealth, and a Testi-
 ‘ mony of his good Affection to the *Protestant* Re-
 ‘ ligion, the Laws, Liberties, and Peace of this
 ‘ Kingdom, and to the Parliament and Privileges
 ‘ thereof.

‘ And because a considerable Aid cannot be raised
 ‘ by few Hands, and the Condition of all Men’s
 ‘ Estates and Occasions is not always proportionable
 ‘ to their Affection, therefore no Man’s Affection
 ‘ shall be measured according to the Proportion of
 ‘ his Offer, so that he express his Good-Will to
 ‘ this Service in any Proportion whatsoever.

II. ‘ Whosoever shall bring in any Money, or
 ‘ Plate, or shall furnish and maintain any Horse,
 ‘ Horsemen and Arms for the Purposes aforesaid,
 ‘ shall have their Money repaid, with Interest, at
 ‘ Eight *per Cent.* and the full Value of their Plate,
 ‘ with Consideration for the Fashion, not exceed-
 ‘ ing one Shilling *per Ounce*; and shall have full
 ‘ Recompence for all their Charge, in finding, fur-
 ‘ nishing, and maintaining of Horse, Horsemen
 ‘ and

‘ and Arms; and for this both Houses of Parlia- An. 18. Car. I.
‘ ment do engage the Public Faith. 1642.

III. ‘ Four Aldermen of *London* shall be the
‘ Treasurers, to receive all such Money and Plate
‘ as shall be brought in for the Purposes aforesaid,
‘ whose Acquittances for the same shall be a suffi-
‘ cient Ground for the Party, so lending Money or
‘ Plate, to demand it again with Interest, and also
‘ Consideration for the Fashion of the Plate.

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‘ IV. ‘ Commissaries shall be appointed to value
‘ the Horse and Arms furnished for this Service;
‘ and a Signification under their Hands of such Va-
‘ lues of the Horse and Arms, and of the Time when
‘ first brought in, shall be a Warrant to demand
‘ Satisfaction according to the said Values; and they
‘ shall keep an Account of the Time, from the first
‘ Inrolment of any such Horse and Horsemen, that
‘ such as find and maintain them may be repaid, ac-
‘ cording to the Rate of 2s. 6d. *per Diem*, for so
‘ long Time as they have maintained them in this
‘ Service; and the Commissaries are to attend at
‘ *Guildhall*, for the receiving and inrolling of such
‘ Numbers of Horse as shall be brought in.

V. ‘ Whosoever shall bring in Money, or Plate,
‘ or shall provide and maintain Horse, Horsemen,
‘ and Arms for this Service, shall do according to
‘ their Duty therein. And the Lords and Com-
‘ mons do engage the Power and Authority of Par-
‘ liament, to save them harmless from all Prejudice
‘ and Inconvenience that may befall them by occa-
‘ sion thereof.

VI. ‘ The Members of either House, who are
‘ present, shall be desired to declare in their Houses
‘ respectively, what Money, or Plate, they will
‘ bring in, or what Horse, Horsemen, and Arms
‘ they will find and maintain.

VII. ‘ It is *desired*, That all such as have Resi-
‘ dence in or about *London*, or within eighty Miles,
‘ will bring in their Money, Plate, or Horse, with-
‘ in a Fortnight after Notice; and they that dwell
‘ farther off, within three Weeks.

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VIII. ' And because every Person may not be
 ' provided with present Money, or with Horse,
 ' or not have his Plate with him, which he means
 ' to bring in, and yet resolves to contribute his Part
 ' within the Time limited; and that it is necessary
 ' it should be presently known what the Provision
 ' will be, for the Effecting this great and important
 ' Service; it is *ordered*, 1. That the Committees
 ' of either House, appointed for that Purpose re-
 ' spectively, shall receive the Subscriptions of such
 ' Member of each House, as have not declared
 ' themselves in the House, or are absent upon the
 ' Public Service, or for their private Occasions.
 ' 2. That the Committee in *London*, intrusted with
 ' the *Militia*, shall receive the Subscriptions in *Lon-*
 ' *don* and *Middlesex*. 3. That some Persons, no-
 ' minated by the Knights and Burgeses of each
 ' County, and approved by both Houses, shall be
 ' appointed to receive the Subscriptions in the seve-
 ' ral Counties.

IX. ' *Lastly*, Whatsoever is brought in shall
 ' not at all be employed upon any other Occasion,
 ' than to the Purposes aforesaid; which are to
 ' maintain the Protestant Religion, the King's Au-
 ' thority, and his Person in his Royal Dignity,
 ' the free Course of Justice, the Laws of the Land,
 ' the Peace of the Kingdom, and the Privilege of
 ' Parliament, against any Force which shall oppose
 ' them. And this by the Direction of both Houses
 ' of Parliament.

Upon which vast
 Sums are raised.

These *Propositions* of the Parliament had such Ef-
 fect, that, Lord *Clarendon* informs us, ' It was hardly
 credible what a vast Proportion of Plate was brought
 in to their Treasurers within ten Days, there being
 hardly Men enough to receive it, or Room to lay it
 in; and the Throng being so great of the Bringers,
 that, in two Days Attendance, many could not be
 discharged of their Seditious Offerings.'—Mr. *Whit-*
locke adds, ' That the Parliament was not only fur-
 nished with Money by Loans upon the Public Faith,
 but

but, by the Endeavours of sundry Ministers and others, a great Quantity of Money, Plate and Ammunition was brought in; even by some poor Women, to their Wedding-Rings and Bodkins! (o)

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But to return to our *Journals*:—

Mr. *Holles* having reported the Opinion of the Lords concerning the *Letter* from the Nine Peers at *York*, a Motion was made, That the Departing of these Nine Lords from the Parliament, without Leave, after such Time as both Houses had declared, that the King, seduced by wicked Counsel, intended to make War against the Parliament; and their still Continuing at *York*, notwithstanding their Summons and Commands, is a high Affront and Contempt of both Houses: And that the said Lords therein did as much as in them lay, that the Service of Parliament might be deserted; and are justly suspected to promote a War against the Parliament. The previous Question being put, it was carried in the Affirmative by 109 Voices against 51. The Tellers on this remarkable Occasion were, for the Yeas, Mr. *Holles* and Mr. *Cromwell*; for the Noes, Mr. *Waller* and Mr. *White*.

The Nine Peers at *York* voted guilty of a Contempt,

Then it was resolved, That a Committee be appointed to draw up an Impeachment against the said Nine Peers. (p)

And an Impeachment ordered against them.

June 11. Both Houses were now very busy in making *Orders* for strengthening themselves, and preventing any Men, Horses, Armour, and Ammunition, from resorting or being carried, for the King's Use, to *York*. The Commons inform'd the Lords of Letters of Intelligence they had received from *Holland*, concerning the Buying up Stores of Artillery, both great and small; amongst the

Informations of Ammunition being bought abroad, for the King's Use.

N 2

(o) *Clarendon*, p. 651. *Memorials*, p. 58.

(p) This Day the Commons took Notice of a Picture, or Print, of Sir *John Hotbom* on Horseback upon the Walls of *Hull*, and the King on Foot before the Walls; and ordered this scandalous Picture, as it is called, to be burnt by the common Hangman, and the whole Impression to be seized.

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An. 18. Car. I. the rest a Mortar for shooting Fire-Balls of 4800 lb. Weight, such as one of the Letter Writers says, He hoped *England* would never need; and such *Tormenta bellica* as, he believed, were never used there in any Age before. (q).

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The Ordinance of Militia vigorously executed in Lincolnshire.

June 13. The Lords received more Letters from the Lord *Willoughby* of *Parham*, reciting his Activeness in raising Forces, mustering the Trained Bands, &c. in *Lincolnshire* and the neighbouring Counties, Copies of which he transmitted to the House. By these Accounts it appears that the Lord *Willoughby* and his Friends had those Parts chiefly in Command; but were warmly opposed by the Earl of *Lindsey*, Sir *Philip Tyrwhit*, and Sir *William Pelham* of *Brocklesby*: The two last were ordered to be sent for as Delinquents. A Committee of four Members of the House of Commons were sent into *Lancashire*, with *Instructions* of the like Nature as the former: Their Names were, Mr. *Ashton*, Mr. *Shuttleworth*, Mr. *Rigby*, and Mr. *Moore*.

June 14. The Lords had been informed, by the Commons, of a *Petition* that was then framing in *Somersetshire*, to be presented to both Houses, in which were great Aspersions cast upon the Parliament: A Copy of it was procured, and this Day read to the House; which, because it shews what Sense some People had then of the Parliament's Proceedings, we give in its own Words. (r)

To the most High and Honourable Houses of
LORDS and COMMONS,

The HUMBLE PETITION of the KNIGHTS,
GENTRY, CLERGY, and FREEHOLDERS of
the County of *Somerset*.

A Petition from *Somersetshire*, in favour of the King's Proposal for an Accommodation.

WE, with all Thankfulness, do acknowledge your great Care and Pains, in the Service of the Commonwealth, whereby you have obtained those good Laws,

(q) These Letters of Intelligence are at large in *Rushworth*, Vol. IV. p. 745. and *Husband*, p. 343.

(r) This *Petition* is taken from the *Lords Journals*: It is not entered in those of the Commons.

Laws, which, by his Majesty's Graciousness and Favour, An. 18. Car. I. 1642. have been already enacted; and, not doubting of the Continuance of these Favours still in you, for the Good and Peace of this Kingdom, and of your favourable Acceptance of these our humble Desires, tho' we have been discouraged, heretofore, in Expressions of the like Kind, we do again humbly desire, That the Church and Liturgy, established by Law, may be continued and obeyed, untill such Time as the Wisdom of the King and Parliament, with the Assistance of a free and well-chosen Synod, of the most grave and learned Divines of this Kingdom, shall make some Reformation or Alteration therein; and, in the mean Time, that the Disturbers thereof may be discountenanced and punished.

June.

That you would be pleased to bend your Endeavours to remove all Jealousies and Misunderstandings between his Majesty and the Parliament, the Distempers within being the greatest Evils that can happen unto us, and which we most fear; and, to that end, to take into your Considerations his Majesty's Message of the 20th of January, as the Means himself proposes for an Accommodation; and that you would provide for his Security, by declaring against Tumults and unlawful Assemblies; and that you would take Care to suppress seditious Sermons and Pamphlets, which his Majesty declares he expects, as the Means to invite him to come near to his Parliament.

That seeing his Majesty and Parliament do not agree in a new Way for settling the Militia, it is humbly desired that the Train'd Bands may be put into such a Posture, and governed as in the Time of Queen Elizabeth, untill a Law be made; and that the Disputes about the Manner of doing it may not actuate Division in the mean Time: That the Subject may have the Benefit of the Petition of Right, both for his Person and Estate, in all Causes and in all Courts; and that the Laws of the Kingdom may be our only Rule of Government and Obedience.

That whereas great Sums of Money have been levied by Authority of Parliament, and greater are now required, we beseech you to take Notice, that the

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Country is much impoverished, and will, unwillingly, bear any farther Burden of this Kind, but such as shall be employed for the general Service of this Kingdom and that bleeding Kingdom of Ireland; and therefore we most humbly pray, that it may be made known how those former Collections have been disposed of; which will be a great Encouragement for the readier Payment of the present.

Lastly, Since his Majesty hath often, with sacred Protestations, declared to his Parliament and People, That he will ever maintain the true Protestant Religion established, the Laws of the Kingdom, and the Liberty of the Subject, which we do confidently believe; we do, therefore, humbly beseech you, that Disputes about Prerogative, and the Fear of a Malignant Party, or other Jealousies, may not embroil you in the greatest of Evils, as are those of Civil Dissentions, or Encouragements to act contrary to Conscience; but that you would do your utmost to lay aside all Distempers; and heedfully watch over the Peace and Safety of this Kingdom, which we will join with you in our earnest Prayers to preserve, and willingly adventure our Lives and Fortunes.

The Persons who were to have presented this Petition to the Parliament, if there had not been a Stop put to it, were,

Sir Francis Pawlet,	Sir Francis Doddington,
Sir Amias Pawlet,	Sir Francis Hawley,
Sir Henry Berkley,	Sir Samuel Gorges,
Sir Charles Berkley,	Sir Robert Philips.
Sir Edward Berkley,	

The chief of the Petitioners censured by the Parliament.

The Lords ordered Sir Francis Doddington and Sir Charles Berkley should be summoned to attend the House presently; and others, mentioned by the Commons, to be sent for on account of this Petition.

Sir William Brereton, with others, were sent down with Instructions to act for the Parliament in the County of Chester.

The

The following Letter from the Lord-Keeper, An. 18. Car. I. directed to the Lord Willoughby of Parham, was read in the House of Lords, which we give from their Journals: 1642. June.

My Lord,

HIS Majesty was this Day pleased to shew me a Letter of your Lordship's unto him; wherein your Lordship's Letter, disavowing his Voting for the Ordinance touching the Militia; which he questioning, in regard he heard it otherwise related, I, thereupon, informed him the Truth; which is, That I was absent from the House on making the first Ordinance, which was presented to him for his Assent; and being present when the second was in Agitation, I gave my Vote against it; which his Majesty hath commanded me to let you know, and is the Occasion of this Letter from

Your Lordship's humble Servant,

York, June 7,
1642.

EDW. LITTLETON.

But notwithstanding the Lord Keeper's positive Denial of his Voting in favour of the Ordinance for the Militia, we find the contrary Account of his Conduct, as before given from Lord Clarendon and Mr. Whitlocke, fully justified by the following Entry in the Lords Journals:

The Lords ordered a Committee of three to search the Journals for the Truth of this Matter; who immediately reported, 'That the Lord-Keeper was present when the Petition to the King concerning the Militia was agreed on: That he was present, voted, and argued for the following Vote, viz. That, in case of extreme Danger, and of his Majesty's Refusal, the Ordinance agreed on by both Houses doth oblige the People, and ought to be obeyed by the Fundamental Laws of this Kingdom. Lastly, That he named his Deputy-Lieutenants, and agreed to the several Forms of Deputations of the Militia.' These Particulars, sign'd by the Clerk, were ordered to be sent to the Lord Willoughby, and forthwith printed and published.

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June 15. A Message was brought from the Lower House by Mr. *Denzil Holles*, containing an Impeachment against the Nine Lords who had wrote and signed the Letter from *York*; which he introduced with the following Speech: (s)

My Lords,

Mr. Holles's
Speech upon Im-
peaching the
Nine Lords at
York.

‘ **B**Y the Command of the Knights, Citizens, and Burgesses of the House of Commons, I come hither unto your Lordships in the Behalf of the Parliament; or rather in the Behalf of the whole Kingdom, labouring with much Distraction, many Fears, great Apprehensions of Evil and Mischief intended against it; and now hatching and preparing by that Malignant Party, which thirsts after the Destruction of Religion, Laws, and Liberty; all which are folded up, cherished, and preserved in the careful Bosom of the Parliament.

‘ My Lords, the Parliament is the Foundation and Basis of Government, and consequently of the Peace and Happiness of the Kingdom. As it creates the Law, by which we are ruled and governed in Peace and Quietness, so it preserves the Law in Power and Authority: It watches over our Religion, that it be not supplanted and changed by superstitious Innovations; the Truth and Substance of it eaten up with Formality, vain Pomp, and unnecessary Ceremonies; the gross Errors of *Poper*y and *Arminianism* imposed upon us, as the Doctrine of our Church; a Way opened to all Licentiousness; and Occasion; hereby, taken to oppress and persecute all religious and conscientious Men that shall oppose these Proceedings, as hath been used of late. It is the Conservative of the Rights and Liberties of the Subject, and the Corrective of Injustice and Oppression; whereby equal Right is di-

(s) This Speech was ordered, by the Commons, to be printed; and by such only as Mr. *Holles* should appoint: Accordingly we find, in the Title thereof, this *Imprimatur*:

I appoint that none shall print this but Thomas Underhill.

DENZIL HOLLES.

This gave Occasion to the King, in one of his *Declarations*, afterwards, to style Mr. *Holles* a *Monopolist*.

distributed to all, and every Man hath that Benefit and Protection of Justice, which is due unto him.

It is that by which alone Common Necessities can be provided for, and Public Fears prevented: So that I may say, not only the Peace, Happiness, and Well-being, but the very Being of this Kingdom, can have no other Bottom to stand upon but the Parliament, it being the Foundation upon which the whole Frame of the Common-Wealth is built.

‘ Therefore those, who would destroy the Building, apply themselves to undermine the Foundation. If they can take away Parliaments, or but weaken the Power and Authority of Parliament, which is all one, (for if it once have no Power, it will soon have no Being) they know then all will be at their Mercy, nothing will stand in their Way to oppose them; but a Flood of Violence will run over and cover the whole Surface of the Kingdom, and carry away all, both present Enjoyment, and future Hope of Religion, Liberty, and whatsoever else is precious and dear unto us,

‘ And, accordingly, it hath ever been the Policy of evil Counsellors (who are the greatest Enemies we have in the World, or can have) to strike at Parliaments, keep off Parliaments, break Parliaments, or divide Parliaments, by making Factions, casting in Diversions and Obstructions, to hinder and interrupt the Proceedings of Parliament: All against the Parliament.

‘ Your Lordships have had Experience of this Truth in this Parliament; a Succession of Designs upon it: First to awe it, and take away the Freedom of it by the Terror of an Army; then to bring Force against it, actually to assault it, and, with the Sword, cut in sunder this only Band, which ties and knits up King and People, the People among themselves, and the whole Frame of this Government, in one firm, and I hope indissoluble, Knot of Peace and Unity.

‘ God diverted those Designs, and did blow upon them; presently another is set upon, which was to obstruct and hinder our Proceedings, that, in the mean

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mean time, the Flame of Rebellion might consume the Kingdom of *Ireland*; and Distempers, Distractions and Jealousies be fomented here at home, to tear out the Bowels of this Kingdom; the Parliament being disabled from helping it, by occasion of so many Diversions, so much Business cut out unto it, many Obstructions and Difficulties; especially that great one from which all the rest receive Countenance and Support, his Majesty's absenting himself, and not concurring with us; thus withdrawing both his Presence and Influence; by which Means such Remedies could not be applied as were necessary; and what was done, was done with infinite Trouble to the Parliament, and excessive Charge to the Subject, double, treble, what otherwise would have served the Turn: So the Subject is grieved and oppressed with Charge, and the Blame of all is laid upon the Parliament; and the Parliament unjustly said to be the Cause of all those Evils, which the Authors of them had made so great; and so confirmed and secured by the frequent Interruptions of the Parliament, that they could not suddenly, nor easily, be suppressed or removed.

' Well, but, by God's infinite Blessing, the Parliament was in a fair Possibility to wade through this likewise; and though the Night had been black and stormy, some Day began to appear: Miraculously our Arms have prospered in *Ireland*, and, God be praised, the malevolent Practices of these Vipers at home, as they appear'd, were, in some Sort, master'd; and the Parliament began to act and operate towards the settling of the great Affairs both of Church and State, and providing for the Defence and Safety of this Kingdom, against either foreign Invasion, or any stirring of the disaffected Party among themselves.

' Then three Ways are together essayed for the weakening and invalidating the Proceedings and Power of the Parliament, and making Way for the utter Subversion of it.

' One, Force is gathered together at *York*, under Pretence of a Guard for his Majesty's Person, to make

make an Opposition against the Parliament ; and, An. 18. Car. I.
by a strong Hand, to support and protect Delin- 1642.
quents, so as no Order of Parliament can be obeyed,
but on the other Side slighted and scorned ; so to
make the Parliament of no Reputation, to be but
Imago Parliamenti, a meer Shadow, without Sub-
stance, without Efficacy.

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‘ *Another*, To send out, in his Majesty Name,
(and as *Declarations* and *Messages* from him) bitter
Invectives against the Parliament, to perplex it,
and engage it, in the Expence of Time, to answer
them ; and besides, cunningly to insinuate and in-
fuse into the People, by false Colours and Glosses,
a Disopinion and Dislike of the Parliament ; and, if
it be possible, to stir up their Spirits to rise against
it, to destroy it, (and, in it, all other Parliaments) to
the Ruin of themselves, their Wives and Children.

‘ The *third* Plot is, The Members are drawn
away, and perswaded to forsake their Duty and At-
tendance here, and go down to *York* ; thereby to
blemish the Actions of both Houses, as done by a
few and inconsiderable Number, and rather a Party
than a Parliament ; and, perhaps, to raise and set
up an Anti-Parliament there.

‘ My Lords, this is now the great Design where-
by they hope, by little and little, the Parliament
shall even bleed to death, and moulder to nothing,
the Members dropping away, one after another : A
desperate and dangerous Practice, and, as your Lord-
ships well observed (when you were pleased to com-
municate this Business to us) an Effect of the evil
Counsels, now prevailing and tending to the Disso-
lution of the Parliament : Of this Parliament, which,
under God, must be the Preserver of three King-
doms, and keep them firm and loyal to their King,
subject to his Crown, save them from being turned
into a Chaos of Disorder and Confusion, and made
a dismal Spectacle of Misery and Desolation : This
Parliament, which is the last Hope of the long-op-
pressed, and, in other Countries, even almost wholly
destroyed, *Protestant* Religion : This Parliament,
which is the only Means to continue us to be a Na-
tion

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tion of Freemen, and not Slaves, to be Owners of any Thing; that we may call our Wives, our Children, our Estates, nay our Bodies our own: In a Word, which must stand in the Gap to prevent an Inlet and Inundation of all Misery and Confusion.

‘ My Lords, this Parliament they desire to destroy; but I hope it will destroy the Destroyers, and be a Wall of Fire to consume them, as it is a Wall of Brass to us, to defend King and Kingdom, us, and all we have.

‘ Your Lordships wisely fore-saw this Mischief, and as wisely have endeavoured to prevent it, by making your *Orders*, to keep your Members here; as that of the ninth of *April*, and several other *Orders* enjoining them all to attend; thereby restraining them from repairing to *York*, where the Clouds were observed to gather so fast, and threaten a Storm, and such Preparations to be made against the Parliament, that it necessitated both Houses to pass a *Vote*: *That the King, seduced by wicked Counsel, intended to make War against the Parliament; and all who shall serve, or assist, in such Wars, are declared to be Traitors*; which *Vote* pass’d the 20th of *May*; so setting a Mark upon that Place, and declaring their Opinion concerning those who should at this Time resort thither.

‘ Yet now, in such a Conjunction of Time, when the Kingdom had never more Need of a Parliament, and the Parliament never more Need of all the Help and Assistance of the best Endeavour and Advice of every Member; the Safety, and even the Being, of the three Kingdoms depending upon it; after such *Orders* and Commands of your Lordships House to the contrary; such a *Vote* of both Houses; and expressly against their Duty, being called thither by *Writ*, under the Great Seal; which is the King’s greatest and highest Command, and not controulable, nor to be dispensed with, by any other Command from him whatsoever; and call’d, to treat and consult *de arduis Regni*, the great, urgent and pressing Affairs of the Kingdom, never more urgent, never more pressing: Notwithstanding all this, these
Lords

Lords, the Earls of *Northampton*, *Devonshire*, *Dover*, and *Monmouth*, the Lords, *Andover*, *Rich*, *Grey*, *Coventry*, and *Capel*, have left their Stations, withdrawn themselves, and are gone to *York*; and being summoned to appear by an *Order* of the 30th of *May*, instead of Obedience, return a Refusal, by a slighting and scornful Letter, which hath been so adjudged both by your Lordships and the House of Commons.

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‘ My Lords, the House of Commons hath likewise, upon the Consideration and Debate of this Business, finding it so much to concern the Safety of the Kingdom, and the very Being of the Parliament, passed this *Vote*:

‘ *That the Departing of these Nine Lords from the Parliament, without Leave, after such Time as both Houses had declared, That the King, seduced by wicked Counsel, intended to make War against the Parliament; and their still Continuing at York, notwithstanding their Summons and Command, is a high Affront and Contempt of both Houses; and that the said Lords, therein, did as much as in them lay, that the Service of the Parliament might be deserted, and are justly suspected to promote a War against the Parliament.*

‘ And the House, in further Prosecution of their Duty in this particular, and in Pursuance of their *Protestation*, which obliges them to endeavour to bring to condign Punishment all such high Offenders against not only the Privileges, but the very Essence of Parliament, have sent me up to impeach these Lords, and desire that speedy and exemplary Justice may be done upon them.

‘ And, accordingly, I do here, in the Name of the Knights, Citizens and Burgeses of the Commons House assembled in Parliament, and in the Name of all the Commons of *England*, impeach *Spencer* Earl of *Northampton*, *William* Earl of *Devonshire*, *Henry* Earl of *Dover*, *Henry* Earl of *Monmouth*, *Charles* Lord *Howard* of *Charlton*, *Robert* Lord *Rich*, *Charles* Lord *Grey* of *Ruthen*, *Thomas* Lord *Coventry*, and *Arthur* Lord *Capel*, for these high Crimes and Misdemeanors following, viz.

‘ For

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‘ For that, contrary to their Duty, they being Peers of the Realm, and summoned by Writ to attend the Parliament; and contrary to an *Order* of the House of Peers of the ninth of *April* last, and several other *Orders*, requiring the Attendance of the Members of that House; and after a *Vote* pass’d in both Houses the 20th of *May* last, *That the King, seduced by wicked Counsel, intended to make War against the Parliament, and that whosoever served, or assisted, him in that War, was adjudged a Traitor*; did notwithstanding, afterwards, in the same Month of *May*, contemptuously, having Notice of the said *Votes* and *Orders*, withdraw themselves from the said House of Peers, and repair to the City of *York*; where the Preparations of the said War were, and yet are, in Contrivance and Agitation, they knowing of such Preparations; and being, by an *Order* of the 30th of *May*, duly summon’d by the House of Peers, to make their Appearance before that House upon the 8th Day of *June* Instant, they refused to appear; and returned a scornful Answer, by a Letter under their Hands, directed to the Speaker of the Lords House, and remaining there upon Record.

‘ For which Crimes and Misdemeanors, to the Interruption of the Proceedings of Parliament and great Affairs of the Kingdom; tending to the Dissolution of the Parliament, and Disturbance of the Peace of the Kingdom; I am commanded, in the Name of the said Commons, to demand of your Lordships, That the said Lords may be forthwith put to their *Answer*, and receive speedy and exemplary Punishment, according to their Demerits:

‘ The Commons saving to themselves Liberty, at all Times hereafter, to exhibit any other or further Impeachment or Accusation against the said Lords, or any of them.

Ordered, That the impeached Lords should have Notice to answer in sixteen Days Time. And both the Houses agreed to recall their joint Committee at *York*.

The

The same Day two of the Company of Station-
ers were sent for by the Commons, and they at-
tending accordingly, Mr. Speaker strictly enjoined
them to be very careful and diligent in search-
ing after any Thing that is printed, that may re-
flect upon his Majesty: And an *Ordinance* was or-
dered to be drawn, for preventing the printing and
publishing of any scandalous or libellous Pamphlet,
that may reflect upon the King or the Kingdom,
the Parliament, or *Scotland*; and for the suppress-
ing of such as have already been printed.

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Order against
printing of scanda-
lous Pamphlets.

June 16. The Lords received Intelligence from
their Lord-Lieutenants in several Counties in *En-
gland*, of their great Success in putting the Parlia-
ment's *Orders*, concerning the *Militia*, in Execution;
and the great Chearfulness the Country expressed
in submitting to their Commands. Many *Orders*
were issued concerning raising Men, and buying of
Horses and Armour: In short, the whole Military
and Naval Force of this Kingdom seem, by the
Journals, to be as much put into Motion, as if a
general Invasion was expected from all the united
Forces of *Europe*.

The Parlia-
ment's great
Success in execu-
ting their *Ordi-
nance* for the
Militia.

This being the Day appointed for a Call of the
House of Commons, the same was done with great
Strictness; when it appears, by the *Journals*, that
sixty-five Members, there named, were absent. It
may easily be supposed that these Gentlemen had
all, or most of them, deserted the House, and were
gone to the King at *York*. On this Deficiency a
Motion being made, That those absent Members,
whose Names were now read, should not sit in the
House, till they had made their Excuse to a Com-
mittee appointed for it, and that Excuse reported
and allowed of by the House, it was carried in the
Affirmative by 147 Voices against 91. This Com-
mitttee were also authorized to consider about le-
vying the Fines of 100 *l.* before imposed upon the
absent Members: But another Motion being made,
That whatsoever Member should withdraw him-
self from the Service of the House, without par-
ticular

A Call of the
House of Com-
mons.

An. 13. Car. 1. ticular Leave of the House first obtained, shall forfeit 20*l*. it was carried in the Negative, by 100 against 79.

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About this Time the King published the following *Declaration*, which he had made to all the Peers, and others of his Privy Council, at *York*, the 13th of this Month; together with their *Engagement* thereupon.

CHARLES R.

The King's Declaration to his Privy Council at *York*.

WE do declare, That we will not require, nor exact, any Obedience from you, but what shall be warranted by the known Law of the Land; as we do expect that you shall not yield to any Commands not legally grounded, or imposed, by any other.

And we do further declare, That we will defend every one of you, and all such as shall refuse any such Commands, whether they proceed from *Votes* and *Orders* of both Houses, or any other Way, from all Dangers and Hazards whatsoever.

And we do further declare, That we will defend the true *Protestant* Religion established by the Law of the Land, the lawful Liberties of the Subjects of *England*, and just Privileges of all the three Estates of Parliament; and shall require no further Obedience from you, than as accordingly we shall perform the same.

And we do declare, That we will not (as is falsely pretended) engage you, or any of you, in any War against the Parliament, except it be for our necessary Defence and Safety against such as do insolently invade or attempt against us, or such as shall adhere to us.

THE ENGAGEMENT of the LORDS and others.

Their Engagement thereupon.

WE do engage ourselves not to obey any Orders or Commands whatsoever, not warranted by the known Laws of the Land.

We do engage ourselves to defend your Majesty's Person, Crown, and Dignity, together with your Ma-

Majesty's just and legal Prerogative, against all Persons and Power whatsoever. An. 18. Car. 1. 1642.

We will defend the true Protestant Religion established by the Law of the Land, the lawful Liberties of the Subjects of England, and just Privileges of your Majesty and both your Houses of Parliament.

And, lastly, we engage ourselves not to obey any Rule, Order, or Ordinance whatsoever, concerning any Militia, that hath not the Royal Assent. (t)

York, June 13,
1642.

Subscribed by

<i>Lord Keeper Littleton</i>	<i>* Lord Fauconbridge</i>
<i>Duke of Richmond</i>	<i>Lord Willoughby of Eres-</i>
<i>Marquis of Hertford</i>	<i>by</i>
<i>Lord Great Chamberlain,</i>	<i>Lord Howard of Charlton</i>
<i>Earl of Lindsey</i>	<i>(Viscount Andover)</i>
<i>Earl of Cumberland</i>	<i>Lord Pierrepont (Viscount</i>
<i>Earl of Bath</i>	<i>Newark)</i>
<i>* Earl of Huntingdon</i>	<i>Lord Paulet</i>
<i>Earl of Southampton</i>	<i>Lord Lovelace</i>
<i>Earl of Dorset</i>	<i>Lord Rich</i>
<i>Earl of Salisbury</i>	<i>* Lord Chandois</i>
<i>Earl of Northampton</i>	<i>Lord Saville</i>
<i>Earl of Devonshire</i>	<i>Lord Paget</i>
<i>Earl of Cambridge</i>	<i>Lord Mohun</i>
<i>Earl of Bristol</i>	<i>Lord Coventry</i>
<i>Earl of Clare</i>	<i>Lord Dunsmore</i>
<i>Earl of Westmoreland</i>	<i>Lord Seymour</i>
<i>Earl of Berkshire</i>	<i>Lord Capel</i>
<i>Earl of Monmouth</i>	<i>Lord Falkland, Secretary</i>
<i>Earl Rivers</i>	<i>of State</i>
<i>* Earl of Newcastle</i>	<i>Mr. Comptroller, Sir</i>
<i>Earl of Dover</i>	<i>Peter Wych</i>
<i>Earl of Caernarvon</i>	<i>Mr. Secretary Nicholas</i>
<i>Earl of Newport</i>	<i>Mr. Chancellor of the Ex-</i>
<i>Lord Grey of Ruthyn</i>	<i>chequer, Sir John</i>
<i>Lord Mowbray and Mal-</i>	<i>Colepeper</i>
<i>travers</i>	<i>Lord Chief Justice Bankes.</i>
<i>VOL. XI.</i>	<i>O To</i>

(t) This List is taken from the original Edition, printed at York by Robert Barker, in the Collections of the late Sir John Napier, Bart. The Names of the Peers distinguished thus * are omitted in Lord Clarendon's List.

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16. Car. I. To these were annexed a solemn *Profession* of the King, disavowing any Intentions of raising a War against his Parliament; and also a *Declaration* of the Peers, and others of his Privy Council, in Confirmation thereof. And first

His Majesty's DECLARATION and PROFESSION.

The King disavows any Intention of raising a War against the Parliament.

THERE having been many Rumours spread, and Informations given, which may have induced many to believe that we intend to make War against our Parliament; we profess before God, and declare to all the World, that we always have and do abhor all such Designs; and desire all our Nobility and Council, who are here upon the Place, to declare whether they have not been Witnesses of our frequent and earnest *Declarations* and *Professions* to this Purpose; whether they see any Colour of Preparations, or Counsels, that might reasonably beget a Belief of any such Design; and whether they be not fully persuaded that we have no such Intention; but that all our Endeavours (according to our many *Professions*) tend to the firm and constant Settlement of the true *Protestant* Religion, the just Privileges of Parliament, the Liberty of the Subject, the Law, Peace, and Prosperity of this Kingdom.

Given at our Court at York this 15th of June, 1642.

The DECLARATION and PROFESSION of the Lords and others of his Majesty's Privy Council at York.

York, June 15, 1642.

Which is confirmed by his Privy Council.

WE whose Names are underwritten, in Obedience to his Majesty's Desire, and out of the Duty which we owe to his Majesty's Honour and to Truth, being here upon the Place, and Witnesses of his Majesty's frequent and earnest *Declarations* and *Professions* of his abhorring all Designs of making War upon his Parliament; and not seeing any Colour of Preparations, or Counsels, that might reasonably beget the Belief of any such Design; do profess before God, and testify to all the World, That we are fully persuaded that

that his Majesty hath no such Intention; but that all his Endeavours tend to the firm and constant Settlement of the true Protestant Religion, the just Privileges of Parliament, the Liberty of the Subject, the Law, Peace, and Prosperity of this Kingdom.

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Subscrib'd by the same Lords and others, as before.

Lord Clarendon, who is more than ordinarily circumstantial in the Transactions of this Month, informs us of an Affair not taken Notice of by the other cotemporary Writers, which we shall give in his own Words. — Speaking of the great Number of Peers and Members of the House of Commons, who now resorted daily to the King at York, he observes, ‘ This glorious Convention was rather an Ornament to his Court, than any great Advantage to his Counsels; and the Use of them more to discredit the small Remainder at Westminster, and that the People might see the Number and Quality of the Dissenters, than that they contributed any Thing to the active Improvement of his Affairs.’ — As a Proof of which he adds, ‘ That the King desired the Peers in Council, to set down, in Writing, the Affronts and Violence which had been offered to them at London, by which their Presence in the great Council of the Kingdom was rendered both unsafe and dishonourable; the which they the more willingly condescended to, for that the London Pamphlets already aspersed them as Deserters of the Parliament, and Betrayers of the Liberty of their Country. An Instrument was drawn up, and agreed upon between them, in which they set down ‘ the Tumults, and the Violence offered to particular Persons in those Tumults; the Threats and Menaces of the Rabble at the Doors of the House, when they had a mind any exorbitant Thing should pass; the Breach and Violation of the old Orders and Rules of Parliament, whilst Matters were in Debate, and the resuming Matters again in a thin House; and reverfing, waving, or contradicting Resolutions made in a full House: And, lastly, Mr. Holles’s

A Farther Declaration, subscribed by them, in his Favour.

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‘ coming to the Bar, and demanding the Names of
‘ those Lords who refused to consent to the *Militia*,
‘ when the Multitude without menaced and threat-
‘ ened all those Dissenters.’ After which they
said, ‘ They conceived they could not be present
‘ there with Honour, Freedom, or Safety ; and
‘ therefore forebore to be any more present ; and
‘ so all those *Votes, Conclusions, and Declarations* had
‘ passed, which had begot these Distractions through-
‘ out the Kingdom.’ And this they delivered to the
King, sign’d under their Hands. And yet (which
is a sufficient Instance how unendued Men were
with that Spirit and Courage which was requisite)
the next Day after the Delivery many Lords came
to his Majesty, and besought him, ‘ That he would
‘ by no Means publish that Paper, but keep it in his
‘ own Hands ;’ some of them saying, ‘ That if it
‘ were published, they would disavow it.’ So that
material and weighty Evidence, which then might
have been of sovereign Use to the King, was ren-
dered utterly ineffectual to his Service ; his Majesty
finding it necessary to engage his Princely Word to
them, ‘ never to make it public without their Con-
‘ sent ;’ which he performed most punctually ; and
so, to this Day, it was never divulged.’——Thus
far the Noble Historian.

The King, being thus disappointed, was obliged
to content himself with the foregoing *Engagement*
and *Testimony* of the Lords and Counsellors ; which
were immediately printed and published, together
with the following *Declaration* :

And a Declara-
tion of the King
on the same Sub-
ject.

‘ **T**HOUGH we have, within these last seven
Months, met with so many several En-
counters of strange and unusual *Declarations*, un-
‘ der the *Names of both our Houses of Parliament*,
‘ that we should not be amazed at any new Prodigy
‘ of that Kind ; and though their last, of the 26th
‘ of *May*, gave us a fair Warning that, the Con-
‘ trivers of it having spent all their Stock of bitter
‘ and reproachful Language upon us, we were to
‘ ex-

expect they should now break out into some bold
 and disloyal Actions against us: And having, by
 that *Declaration*, (as far as in them lies) divested us
 of that Pre-eminence and Authority which God,
 the Law, the Custom and Consent of this Na-
 tion had placed in us; and assumed it to them-
 selves; that they should likewise, with Expedi-
 tion, put forth the Fruits of that Supreme Power,
 for the violating and suppressing that Power they
 despised; (an Effect of which Resolution their
 wild *Declaration* against our *Proclamation* concern-
 ing the pretended *Ordinance* for the *Militia*, and
 the Punishing of the Proclaimers appears to be)
 yet we must confess, in their last Attempt, (we
 speak of the last we know, they may probably
 since, or at this present, have outdone that too)
 they have outdone what we conceive was their
 present Intention; and whosoever hears of *Propo-*
sitions and *Orders* for bringing in of Money and
 Plate to maintain Horse, Horsemen, and Arms,
 for the Preservation of the Public Peace, or for
 the Defence of the King and both Houses of Par-
 liament, (such is their *Declaration*, or what else
 they please to call it, of the 10th of *June*) will
 surely believe the Peace of this Kingdom to be ex-
 tremely shaken; and, at least, the King himself
 to be consulted with, and privy to these *Proposi-*
tions: But we hope that (when our good Subjects
 shall find, that this goodly Pretence of *the De-*
fence of the King is but a specious Bait to seduce
 weak and inconsiderate Men into the highest Acts
 of Disobedience and Disloyalty against us, and of
 Violence and Destruction upon the Laws and Con-
 stitutions of the Kingdom) they will no longer be
 captivated by an implicit Reverence to the Name of
 both Houses of Parliament; but will carefully exa-
 mine and consider what Number of Persons are
 present, and what Persons are prevalent in those
 Consultations; and how the Debates are probably
 managed, from whence such horrid and monstrous
 Conclusions do result; and will, at least, weigh
 the Reputation, Wisdom, and Affection of those
 who

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who are notoriously known, out of the very Horror of their Proceedings, to have withdrawn themselves; or, by their Skill and Violence, to be driven from them and their Councils.

Whilst their Fears and Jealousies did arise, or were infused into the People, from Discourses of the Rebels in *Ireland*, of Skippers at *Rotterdam*, of Forces from *Denmark*, *France*, or *Spain*, (how improbable and ridiculous soever that Bundle of Informations appeared to all wise and knowing Men) 'tis no Wonder if the Easiness to deceive, and the Willingness to be deceived, did prevail over many of our weak Subjects to believe, that the Dangers which they did not see might proceed from Causes which they did not understand; but for them to declare to all the World, *That we intend to make War against our Parliament*, (whilst we sit still, complaining to God Almighty of the Injury offered to us, and to the very Being of Parliaments) and that we have already begun actually to levy Forces both of Horse and Foot, (whilst we have only, in a legal Way, provided a smaller Guard for the Security of our own Person, so near a Rebellion at *Hull*, than they have had, without lawful Authority, above these eight Months, upon imaginary and impossible Dangers) to impose upon our People's Sense, as well as their Understanding, by telling them we are doing that which they see we are not doing, and intending what they all know (as much as Intentions can be known) we are not intending, is a Boldness agreeable to no Power, but the Omnipotence of those Votes, whose absolute Supremacy hath almost brought Confusion upon King and People; and against which no Knowledge in Matter of *Fact*, or Consent and Authority in Matter of *Law*, they will endure shall be opposed.

We have upon all Occasions, with all possible Expressions, professed our fast and unshaken Resolutions for Peace; and we do again, in the Presence of Almighty God, our Father and Redeemer, assure the World, That we have no more Thought

of

of making a War against our Parliament, than
against our own Children; that we will maintain
and observe the Acts, assented to by us this Par-
liament, without Violation, of which that for the
frequent assembling of Parliaments is one; and
that we have not, or shall not have, any Thought
of using any Force, unless we shall be driven to it
for the Security of our Person, and for the De-
fence of the Religion, Laws, and Liberty of the
Kingdom, and the just Rights and Privileges of
Parliament; and therefore we hope the Malignant
Party, who have so much despised our Person,
and usurped our Office, shall not, by their spe-
cious and fraudulent Insinuations, prevail with
our good Subjects to give Credit to their wicked
Assertions, and so to contribute their Power and
Assistance for the Ruin and Destruction of us and
themselves.

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For our Guard about our Person, (which not
so much their Example as their Provocation in-
forced us to take) 'tis known it consists of the
prime Gentry, in Fortune and Reputation, of this
County, and of one Regiment of our Trained
Bands; who have been so far from offering any
Affronts, Injuries, or Disturbance to any of our
good Subjects, that their principal End is to pre-
vent such; and so may be a Security, but can be
no Grievance, to our People. That some ill-af-
fected Persons, or any Persons, have been em-
ployed in other Parts to raise Troops under Co-
lour of our Service, or have made large, or any,
Offers of Reward and Preferment to such as will
come in, is (for ought we know, and as we be-
lieve) an Untruth, devised by the Contrivers of
this false Rumour; we disavow it, and are confi-
dent there will be no Need of such Art or Indu-
stry to induce our loving Subjects, when they
shall see us oppressed, and their Liberties and Laws
confounded, (and till then we shall not call on
them) to come into us, and to assist us.

For the Delinquents, (whom we are said with
an high and forcible Hand to protect) let them be
named,

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named, and their Delinquency; and if we give not Satisfaction to Justice, when we shall have received Satisfaction concerning Sir *John Hotham*, by his legal Trial, then let us be blamed: But if the Design be, (as it is well known to be) after we have been driven by Force from our City of *London*, and kept by Force from our Town of *Hull*, to protect all those who are Delinquents against us, and to make all those Delinquents who attend on us, or execute our lawful Commands, we have great Reason to be satisfied in the Truth and Justice of such Accusation; lest, to be our Servant, and to be a Delinquent, grow to be Terms so convertible, that, in a short Time, we be left as naked in Attendance, as they would have us in Power; and so compel us to be waited on only by such whom they shall appoint and allow, and in whose Presence we should be more miserably alone, than in Desolation itself.

And if the seditious Contrivers and Fomenters of this Scandal upon us shall have (as they have had) the Power to mislead the Major Part present of either or both Houses, to make such *Orders*, and send such *Messagers* and *Messengers*, as they have lately done, for the Apprehension of the great Earls and Barons of *England*, as if they were Rogues or Felons; whereby Persons of Honour and Quality are made Delinquents, merely for attending upon us, and upon our *Summons*; whilst other Men are forbid to come near us, though obliged by the Duty of their Places and Oaths, upon our lawful Commands; it is no Wonder if such *Messengers* are not very well entertained, and such *Orders* not obeyed. Neither can there be a surer and cunninger Way found out to render the Authority of both Houses scorned and vilified, than to assume to themselves, merely upon the Authority of the Name of *Parliament*, a Power monstrous to all Understandings; and to do Actions, and to make *Orders*, evidently and demonstrably contrary to all known Law and Reason, as to take up Arms against us, under Colour
of

‘ of defending us; to cause Money to be brought An. 18. Car. I.
 ‘ in to them, and to forbid our own Money to be 1642.
 ‘ paid to us, or to our Use, under Colour that we
 ‘ will employ it ill; to beat us, and starve us for
 ‘ our own Good, and by our own Power and Au-
 ‘ thority; which must, in short Time, make the
 ‘ greatest Court, and the greatest Persons, cheap and
 ‘ of no Estimation.

June.

‘ Who those sensible Men are of the Public Ca-
 ‘ lamities, of the Violations of the Privileges of Par-
 ‘ liament, and the common Liberty of the Subject,
 ‘ who have been baffled and injured by Malignant
 ‘ Men and Cavaliers about us, we cannot imagine;
 ‘ and if those Cavaliers are so much without the
 ‘ Fear of God and Man, and so ready to commit
 ‘ all Manner of Outrage and Violence, as is pre-
 ‘ tended, our Government ought to be the more
 ‘ esteemed, which hath kept them from doing so;
 ‘ inasmuch as we believe no Person hath Cause to
 ‘ complain of any Injury, or of any Damage in
 ‘ the least Degree, by any Man about us, or who
 ‘ hath offered his Service to us. All which being
 ‘ duly considered, if the Contrivers of these *Propo-*
 ‘ *sitions* and *Orders* had been truly sensible of the
 ‘ Obligation which lies upon them, in Honour,
 ‘ Conscience, and Duty, according to the high
 ‘ Trust reposed in them by us and our People, they
 ‘ would not have published such a Sense and Appre-
 ‘ hension of imminent Danger; when themselves,
 ‘ in their Consciences, know that the greatest, and
 ‘ indeed only, Danger which threatens this Church
 ‘ and State, the blessed Religion and Liberty of our
 ‘ People, is in their own desperate and seditious De-
 ‘ signs; and would not endeavour, upon such weak
 ‘ and groundless Reasons, to seduce our good Sub-
 ‘ jects from their Affection and Loyalty to us, to
 ‘ run themselves into Actions unwarrantable, and
 ‘ destructive to the Peace and Foundation of the
 ‘ Common-Wealth.

‘ And that all our loving Subjects may see how
 ‘ causeless and groundless this scandalous Rumour
 ‘ and

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and Imputation of our raising War upon our Parliament is, we have, with this our *Declaration*, caused to be printed the *Testimony* of those Lords, and other Persons of our Council, who are here with us; who, being upon the Place, could not but discover such our Intentions and Preparations, and cannot be suspected, for their Honours and Interests, to combine in such mischievous and horrid Resolutions: And therefore we straitly charge and command all our loving Subjects, upon their Allegiance, and as they will answer the contrary at their Perils, That they yield no Obedience or Consent, to the said *Propositions* and *Orders*; and that they presume not (under any such Pretences, or by Colour of any such *Orders*) to raise or levy any Horse or Men, or to bring in any Money or Plate to such Purpose: But if, notwithstanding this clear *Declaration* and Evidence of our Intentions, these Men (whose Design it is to compel us to raise War upon our Parliament, which all their Skill and Malice shall never be able to effect) shall think fit, by these Alarms, to awaken us to a more necessary Care of the Defence of ourself and our People; and shall themselves, under Colour of Defence, in so unheard-of a Manner, provide (and seduce others to do so) to offend us; having given us so lively Testimony of their Affections what they are willing to do, when they have once made themselves able, all our good Subjects will think it necessary to look to ourself: And we do then excite all our well-affected People, according to their *Oaths* of Allegiance and Supremacy, and according to their solemn Vow and *Protestation*, (whereby they are obliged to defend our Person, Honour, and Estate) to contribute their best Assistance to the Preparations necessary for the opposing and suppressing of the traitorous Attempts of such wicked and Malignant Persons; who would destroy our Person, Honour, and Estate, and engage the whole Kingdom in a Civil War, to satisfy their own lawless Fury and Ambition;

‘ bition; and so rob our good Subjects of the blessed
 ‘ Fruit of this present Parliament, which they al-
 ‘ ready, in some Degree, have, and might still reap,
 ‘ (to the abundant Satisfaction and Joy of the whole
 ‘ Kingdom) if such wicked Hands were not ready
 ‘ to ruin all their Possession, and frustrate all their
 ‘ Hopes.

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‘ We do therefore *declare*, That whosoever, of
 ‘ what Degree or Quality soever, shall then, upon
 ‘ so urgent and visible Necessity of ours, and such
 ‘ an apparent Distraction of the Kingdom, (caused
 ‘ and begotten by the Malice and Contrivance of
 ‘ this Malignant Party) bring in to us, and our Use,
 ‘ ready Money or Plate; or shall underwrite to
 ‘ furnish any Number of Horse, Horsemen, and
 ‘ Arms for the Preservation of the Public Peace,
 ‘ the Defence of our Person, and the Vindication
 ‘ of the Privilege and Freedom of Parliament; we
 ‘ shall receive it as a most acceptable Service, and as
 ‘ a Testimony of his singular Affection to the *Pro-*
 ‘ *testant* Religion, the Laws, Liberties, and Peace
 ‘ of the Kingdom; and shall no longer desire the
 ‘ Continuance of that Affection than we shall be
 ‘ ready to justify, and maintain, those with the
 ‘ Hazard of our Life.

‘ And we do further *declare*, That whosoever
 ‘ shall then bring in any Sums of Money or Plate, to
 ‘ assist us in this great Extremity, shall receive Con-
 ‘ sideration after the Rate of Eight *per Cent.* for all
 ‘ such Monies as he shall furnish us withall; and
 ‘ shall, upon the Payment of such Money to such
 ‘ Persons whom he shall appoint to receive the same,
 ‘ receive Security for the same, by good and lawful
 ‘ Assurance of such of our Lands, Forests, Parks,
 ‘ and Houses, as shall be sufficient for the same;
 ‘ (more real Security than the Name of *Public Faith*
 ‘ given without us and against us, as if we were no
 ‘ Part of the Public) and besides we shall always
 ‘ look upon it as a Service, most affectionately and
 ‘ seasonably performed, for the Preservation of us
 ‘ and the Kingdom: But we shall be much gladder
 ‘ that

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A Conference on some Words in the King's Answer to the Declaration of the 26th of May.

June 17. This Day the Lords took into Consideration a printed Book, published in the King's Name, called *An Answer to a Declaration of the Lords and Commons, of the 26th of May last*, out of which was read this Clause, 'We must tell those ungrateful Men, who dare tell their King, That they may, without Want of Modesty and Duty, depose him, &c.' It was ordered, That a Conference be held with the Commons, and a Committee of both Houses appointed to draw a Declaration, by way of Answer to this Particular; and that Care be taken to disperse it thro' the Kingdom.

The Parliament resolve to raise Horse as well as Foot.

Both Houses agreeing, That they perceived an hourly Necessity for raising an Army of Horse as well as Foot; Orders were issued out, and proper Officers named for that Purpose.

The King grants a Commission of Array.

The Earl of *Stamford* inform'd the Lords, by a Letter from *Leicestershire*, That he had executed the Parliament's *Militia Ordinance* in that County with great Success; but that a Commission of Array was granted to the Earls of *Huntingdon*, *Devonshire*, and others, to oppose him therein, and requiring them to array, train, and muster the People: That the said Commission was to take Place in a few Days; and therefore the Earl of *Stamford* desired the Advice of Parliament, what he should do if the said Commission was put in Execution. A Committee of both Houses was immediately appointed to consider how to prevent this new and dangerous Project.

June 18. The Commons acquainted the Lords with a Letter that the King had wrote to the Lord Mayor, Aldermen, and Sheriffs of *London*, which was print-

printed; and desired them to take the said *Letter* into Consideration, and to give Order that it might be suppressed, and not dispersed amongst the several Companies as was required.

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This *Letter* was as follows:

CHARLES R.

Trusty and Well-beloved, we greet you well,

*W*Hereas we have received several Informations of great Sums of Money endeavoured to be borrow'd of our City of London, by some Direction proceeding from both our Houses of Parliament; and likewise that great Labour is used to persuade our Subjects to raise Horse, and to furnish Money, upon Pretence of raising a Guard for our Parliament: These are to let you know, that (notwithstanding any scandalous Votes which have presumed to declare our Intention of levying War against our Parliament, and to lay other Aspersions on us, so fully disavowed by us in the Presence of Almighty God, in our several Answers and Declarations) all our Desires and Purposes are for the Public Peace; and that we have not the least Thought of raising or using Force, except we are compelled to it for the Defence of our Person, and in Protection of the Law: And therefore we expect that you suffer not yourselves to be misled by such vain and improbable Suggestions; and do declare, That if you shall lend any Sums of Money towards the Relief of Ireland, (to which we have contributed all the Assistance that could be desired of us, which Way soever the Money given and raised to that Purpose is disposed) or towards the Payment of our Scots Subjects, we shall take it as an acceptable Service at your Hands; but if, upon general Pretences, contrived by a few factious Persons against the Peace of the Kingdom, you shall give or lend any Money, or provide or raise any Horses or Arms towards the Raising such a Guard, we shall look upon it as the Raising Force against us, and to be done in Malice and Contempt of us and our Authority.

And we do therefore straitly charge and command you to publish this our Letter to the several Masters and

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and Wardens of the severall Companies, that they may be assured that such Money as they shall lend, out of their good Affection to the Kingdom, may be only employed for Ireland or Scotland, and not towards such Guards; which, in Truth, are intended by the Contrivers of that Design, (though we believe many honest Men, seduced by them, do not yet see their End) to be employed against us: And if you and they shall herein fail, punctually and severally, to observe our Commands, we shall not only proceed against the severall Companies for deceiving the Trust reposed in them, but against the particular Persons, as Contemners and Opposers of our Authority, and of the Law of the Land, in the most exemplary Way the known Law of the Land shall prescribe to us; and shall be compelled to question the Charter of your City, who we are willing yet to believe, (notwithstanding the barbarous and insolent Demeanour of the meaner and baser Sort) in a good Degree to continue loyal to us.

And of your Obedience to these our Commands, we do expect and require a full Account, and of the Names of such Persons who shall oppose the same. Hereof fail you not, as you will answer the contrary at your Peril.

Given at our Court at York, the 14th Day of June, in the eighteenth Year of our Reign, 1642.

The King's
Commission of
Array voted Illegal.

Next follows a Copy of the King's Commission of *Array* sent into *Leicestershire*, which we pass over with a Reference; the Disputes about the Legality or Illegality of it being more than enough for our Purpose. (u) On the reading of it the Lords passed this *Vote*, 'That this Commission of *Array* for *Leicestershire* is against Law, and against the Liberty and Property of the Subject: And that all those, that are Actors in putting this Commission of *Array* in Execution, shall be esteemed as Disturbers of the Liberty of the Subject.'

Or-

(u) This Commission is at large in *Rushworth's Collections*, Vol. IV. p. 655.

Ordered, also, 'That this Commission of *Array*, An. 18. Car. I. with the aforesaid *Votes*, shall be forthwith printed and published throughout the Kingdom.'

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Lastly, 'That all those Persons, except the Peers, who had executed this Commission in *Leicestershire*, should be sent for as Delinquents (x).

The same Day another *Declaration* of the Lords and Commons, by way of *Answer* to the foregoing *Letter* of the King to the Lord Mayor and Citizens of *London*, was read, and agreed to be printed and published in *hæc Verba*:

'Whereas in a Paper, inscribed *To our trusty and well-beloved the Lord Mayor, Aldermen, and Sheriffs of the City of London, dated the 14th of June, 1642*, it is affirmed, *That great Labour is used to persuade his Majesty's Subjects to raise Horse, and to furnish Money, upon Pretence of a Guard for the Parliament; but, in truth, to be employed against his Majesty*: The Lords and Commons do declare, That the Design of those *Propositions* is, as was formerly declared, to maintain the *Protestant Religion*, the King's Authority and Person in his Royal Dignity, the free Course of Justice, the Laws of the Land, the Peace of the Kingdom, and the Privileges of Parliament, against any Force which shall oppose them:

The Parliament's Answer to the King's Letter.

'And they do further declare, That as the Forces already attending his Majesty, and the Preparation which his Majesty is now making of Arms, Horse, and Ordnance, within his Kingdom and from without, at first coloured under the Pretence of

(x) This Commission of *Array*, which the King issued by Advice of some of the Judges and Lawyers of Eminency, was founded upon an Act of the 5th of King Henry IV. but being a Thing the People had never heard of before, was received with Jealousy. Mr. *Selden*, in the House of Commons, declared himself very positively against it, as being expressly without any Authority of Law; the Statute, on which it was grounded, being, as he said, repeal'd; and discoursed very much of the ill Consequences which might result from submitting to it.

Clarendon's Hist. 8vo. Edit. p. 667.

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of a Guard, do evidently appear to be intended for some great and extraordinary Design; so they give just Cause of Fear and Jealousy to the Parliament, and do fully justify their *Votes* of the King's Intention of levying War against the Parliament, to be altogether free from any Imputation of Scandal, as is injuriously cast upon them by that *Paper*: For, so long as his Majesty shall continue those Levies and Preparations, the Lords and Commons in Parliament, having been so often threatened and reviled for their Proceedings about *Hull* and the *Militia*, so necessarily undertaken for the Good and Peace of the Kingdom, cannot be secured by his Majesty's solemn *Protestation* alone, expressed in this and other *Declarations*, That all his Desires and Purposes are for the Public Peace, and that he hath not the least Thought of using Force, except he be compelled to it for the Defence of his Person and Protection of the Laws; seeing his Majesty, in a *Declaration* published at *Heworth-Moor*, doth interpret the Protection of the Laws in such a Manner, as giveth just and full Occasion to believe, that, by protecting the Laws, his Majesty intendeth Force upon, or against, those who shall submit to the Ordinance of the *Militia*; and because it appears, by divers Expressions of his Majesty, that he hath discovered an Intention of making some Attempt upon *Hull*: In both which Cases they do declare, That whatsoever Violence shall be used, either against those who exercise this *Militia*, or against *Hull*, they cannot but believe it as done against the Parliament.

And whereas the Houses have, upon Loan, received great Sums of Money for the Service of *Ireland*, from the Companies of the City of *London*, (for which they give them great and hearty Thanks) they do declare, That these Sums shall be dispended, as the former have been, to that only Service; notwithstanding an Insinuation, laying an Aspersion upon them as if they had done otherwise.

Fur-

Further: Whereas it is declared, to the great An. 18. Car. 1.
 Reproach of the Parliament, *That the Sums de-*
fired towards the Raising of Horse and Arms, are
contrived upon general Pretences, by some few
factious Persons, we leave it to the World to
 judge how it is possible the Houses should have all
 their Members, seeing many of them are, by his
 Majesty, summoned to *York*; and there, contrary
 to the Laws of the Land and Privileges of Parlia-
 ment, detained, nay, protected, from the Justice
 of both Houses.

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And, *secondly,* How that can possibly be called
 a Faction, which is done by both Houses of Par-
 liament, the greatest Court of *England*, the most
 faithful Council his Majesty hath. But at such
 Language as this they wonder not, considering by
 what wicked Counsel his Majesty's Affairs are
 guided, and by what malignant Spirits his Maje-
 sty's Affections to the Parliament of late have been
 misled.

Both Houses well weighing the Premises, do
 forbid any Mayors, Sheriffs, Bailiffs, or other Of-
 ficers whatsoever, to publish or spread that *Paper*,
 as they will answer their Contempt to the Parlia-
 ment. And do assure themselves, that neither his
 Majesty's Commands, nor his Threats, will with-
 draw or deter Men, well-affected to the Public,
 from doing their Duty; in contributing such Mo-
 ney, Horse, and Plate, as will be necessary for
 the Preserving the Being of Parliament, the Peace
 of the Kingdom, and those other Ends before-
 mentioned, for which they are desired: The dan-
 gerous and mischievous Intentions of some about
 his Majesty being such, that whatsoever is most
 precious to Men of Conscience and Honour, as
 Religion, Liberty, and Public Safety, are like to
 be overwhelmed and lost in the general Confusion
 and Calamity of the Kingdom; which will not
 only question, but overthrow, the Charter of the
 City of *London*; expose the Citizens, their Wives,
 and Children, to Violence and Villainy; and leave

An. 28. Car. I. ' the Wealth of that famous City as a Prey to those
 1642. ' desperate and necessitous Persons.

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' The Lords and Commons, as they hope, by this
 ' Means, those horrid Mischiefs may be prevented,
 ' to those of the City, which contribute hereunto,
 ' (whereof none are so mean and base as to deserve
 ' the Reproaches cast on them by that *Paper*) and
 ' all his Majesty's good Subjects, may be assured
 ' that, in doing their Duty herein, they shall be
 ' protected and secured in their Persons, Liberties,
 ' and Estates, by the Power and Authority of both
 ' Houses of Parliament, according to their former
 ' Engagements, which they will ever faithfully
 ' perform.'

This *Answer* was presently followed by a *Reply*
 from the King.

The King's Re-
 ply.

' IT seems, by a new *Declaration* of the 18th of
 ' June, in *Answer* to our *Letter*, of the 14th of
 ' the same Month, to the Lord Mayor of *London*,
 ' that the Lords and Commons in Parliament have
 ' much more Leisure than they pretend; or that
 ' those Persons, whom we have before described in
 ' our former *Answers* and *Declarations*, and of whom
 ' only we would be understood to speak, think
 ' such *Declarations* and *Votes*, to be such unresistable
 ' Engines of Battery against us and the Law, that
 ' no Strength can oppose them; and therefore,
 ' though they will not take Notice from whence
 ' that *Letter* came, they will vouchsafe it no other
 ' Mention but a *Paper*, (as if found by Chance)
 ' inscribed *To our Trusty and Well-beloved*, &c. And
 ' it is a Wonder that, since they have usurped the
 ' Supreme Power to themselves, they have not ta-
 ' ken upon them the Supreme Style too, and direc-
 ' ted this very new *Declaration*, *To their Trusty and*
 ' *Well-beloved, their Subjects of the City of London*;
 ' for 'tis too great and palpable a Scorn to per-
 ' suade them to take up Arms against our Person,
 ' under Colour of being loving Subjects to our Of-
 ' fice,

‘ fice; and to destroy us, that they may preserve
‘ the King.

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‘ They are offended that we should believe, *That*
‘ *their End of persuading our Subjects to raise Horse,*
‘ *and to furnish Money, upon Pretence of a Guard*
‘ *for the Parliament, is, in Truth, to employ those*
‘ *Horse, Men, and Money, against us.* Let the
‘ Reasons of our Belief be never so strong, and
‘ their Actions never so evident to compel all other
‘ Men to believe so too, the Lords and Commons
‘ do declare, (think what you will, and see what
‘ you can) *That the Design of those Propositions*
‘ *for raising Men, Horse, and Money, is to maintain*
‘ *the Protestant Religion, the King's Authority and*
‘ *Person in his Royal Dignity, the free Course of*
‘ *Justice, the Laws of the Land, the Peace of the*
‘ *Kingdom, and Privileges of Parliament, against*
‘ *any Force which shall oppose them.* And this all
‘ Men are bound to believe, though they see the
‘ Protestant Religion, and the Professors thereof,
‘ miserably reproached, and in Danger of being de-
‘ stroyed by a vicious and malignant Party of
‘ Brownists, Anabaptists, and other Sectaries; (the
‘ principal Ring-leaders of whom have too great a
‘ Power, even with some Members in both our
‘ Houses of Parliament) our Authority despised, and,
‘ as much as in them lies, taken from us; and reviled
‘ in Pulpits and Presses by Persons immediately in
‘ their Protection, and of their Recommendation;
‘ our Person driven away by Tumults and rude Mul-
‘ titudes, against whom we can have no Justice;
‘ the Course of Justice interrupted and stopped
‘ by Orders and Injunctions, never heard of till this
‘ Parliament; the Laws of the Land trampled
‘ under Foot, and frustrated; new Laws attempted
‘ to be made, and imposed upon our Subjects, with-
‘ out, and against, our Consent; the Peace of the
‘ Kingdom shaken and frightened away by discounte-
‘ nancing the Laws; absolving, as much as in them
‘ lies, the People from the Rules of Government
‘ or Obedience, and even declaring a War against
‘ us, and the Laws of the Land; and, lastly, the

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Privileges of Parliament so far extended, as if, to the bare Sound of Privilege of Parliament, the Liberty and Property of the Subject, the Dignity and Certainty of the Law were in such Subjection, that they may first make what *Orders* they please, and in what Cases they please; and whosoever disputes those *Orders*, and submits not to those *Votes*, breaks their Privileges; and whosoever breaks their Privileges is an Enemy to the Common-Wealth, and worthy of such other Attributes (either of favouring the Rebellion in *Ireland*, or advancing the War here) as are most likely to render that Person suspected or odious to the People. If, in Truth, this be evidently and demonstrably the Case, such *Declarations* will no more gain Credit with, or longer mislead, our Subjects, than if they should tell them, that we are Personally with them in *London*, when all Men see us here at *York*.

As they have declared, (the best Argument or Evidence you are to look for) That all that they do is lawful, because they do it; so they proceed, by the same Power, to assure those who are apt to be deceived by them, *That the Force already attending us*, (they would certainly do otherwise if they did really believe such Force to be about us) *and the Preparation we are making, do evidently appear to be intended for some great and extraordinary Design, and do justify their former Votes of our Intention of levying War against our Parliament.* And they have at last given some Reasons for that *Vote and Declaration*: They find, by our several *Declarations*, that we intend Force against those who shall submit to the *Ordinance* of the *Militia*, and that we intend to make an Attempt upon *Hull*: In both which Cases they are pleased to declare, *That whatsoever Violence shall be used, either against those who exercise this Militia, or against Hull, they cannot but take it as done against the Parliament.* We are beholden to them that they have explained to all our good Subjects the Meaning of their Charge against us; that by our Intention

tion of making War against our Parliament, no more is pretended to be meant, but our Resolution not to submit to the high Injustice and Indignity of the *Ordinance*, and the Business of *Hull*. We have never concealed our Intentions in either of those Particulars; (we wish they would deal as clearly with us) but have always, and do now declare, That that pretended *Ordinance* is against the Law of the Land, against the Liberty and Property of the Subject, destructive to Sovereignty; and, therefore, not consistent with the very Constitution and Essence of the Kingdom, nor with the Right and Privilege of Parliament: That we are bound by our *Oath*, (and all our Subjects are bound by theirs of Allegiance and Supremacy, and their own *Protestation* lately taken, to assist us) to oppose that *Ordinance*, which is already put in Execution against us; not only by training and arming our Subjects, but by forcibly removing the Magazines from the Places trusted by the Counties, to their own Houses, and guarding it there with armed Men; whither it will be next removed, and how used by such Persons, we know not. That the keeping us out of *Hull*, by Sir *John Hotham*, was an Act of High Treason against us; and the taking away our Magazine and Munition from us, was an Act of Violence upon us; (by what Hands, or by whose Direction soever it was done) and in both Cases, by the Help of God and the Law, we will have Justice, or lose our Life in the requiring it; the which we do not value at that Rate, as to preserve it with the Infamy of suffering ourself to be robbed and spoiled of that Dignity we were born to.

And if it be possible for our good Subjects to believe that such a Defence of ourself, with the utmost Power and Strength we can raise, is making a War against the Parliament; we do not doubt (however it shall please God to dispose of us in that Contention) but the Justice of our Cause will, at the last, prevail against those few malignant Spirits, who, for their own Ends and am-

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bitious Designs, have so misled and corrupted the Understandings of our People; and that both our Houses of Parliament will, in a short Time, discern, by their own Observation, and the Information we shall speedily give them, how near this flourishing Kingdom is brought to Ruin and Confusion by these Persons.

And since neither our *Declaration*, nor the Testimony of so many of our Lords now with us, can procure Credit with these Men; but that they proceed to levy Horse, and to raise Money and Arms against us, we are not to be blamed, if (after so many gracious Expostulations with them, upon undeniable Principles of Law and Reason, which they answer only by *voting* that which we say to be neither Law nor Reason; and so proceed actually to levy War upon us, to justify that which cannot be otherwise defended) at last we make such Provision, that, as we have been driven from *London*, and kept from *Hull*, we may not be surprized at *York*; but be in a Condition to resist and bring to Justice those Men, who would persuade our People that their Religion is in Danger, because we will not consent it shall be in their Power to alter it by their *Votes*; or their Liberty in Danger, because we will allow no Judge of that Liberty but the known Law of the Land: Yet whatever Provision we shall be compelled to make for our Security, we will be ready to lay down, as soon as they shall have revoked the *Orders* by which they have made Levies; and submit those Persons who have detained our Towns, carried away our Arms, and put the *Militia* in Execution contrary to our *Proclamation*, to that Trial of their Innocence the Law directs, and to which they were born.

If this be not submitted to, we shall with as good a Conscience (and we believe we shall not want the Affections of our good Subjects to that End) proceed against those who shall presume to exercise that pretended *Ordinance* for the *Militia*, and the others who keep our Town of *Hull* from

us

' us, as we would resist Persons who came to take An. 18. Car. I.
 ' away our Life or our Crown from us. And 1642.
 ' therefore we shall, again, remember and require our
 ' City of *London* to obey our former Commands,
 ' and not to be misled by the Orations of those Men,
 ' (who are made desperate by their Fortunes, or their
 ' Fortunes by them) who tell them their Religion,
 ' Liberty, and Property is to be preserved no other
 ' Way but by their Disloyalty to us: That they are
 ' now at the Brink of the River, and may draw
 ' their Swords, when nothing pursues them but their
 ' own evil Consciences. Let them examine what
 ' excellent Fruits of Religion the Lives of those
 ' Men have brought forth, and what great Advan-
 ' cers they have been of the Public Liberty and Pro-
 ' perty: How long they have had those Opinions,
 ' that they would ruin them to defend, and how they
 ' came to those Opinions: Let them consider whe-
 ' ther their Estates come to them, and are settled
 ' upon them by *Orders* of both Houses, or by that
 ' Law which we defend: What Security they can
 ' have to enjoy their own, when they have helped
 ' to rob us; and what a happy Conclusion that War
 ' is like to have, which is raised to oppress their So-
 ' vereign: That the Wealth and Glory of their Ci-
 ' ty is not like to be destroyed any other Way, but
 ' (and that Way inevitably it must) by rebelling a-
 ' gainst us; nor their Wives and Children to be
 ' exposed to Violence and Villany, but by those
 ' who make their Appetite and Will the Measure
 ' and Guide to all their Actions. Let them not
 ' fancy to themselves melancholic Apprehensions,
 ' which are capable of no Satisfaction; but let them
 ' seriously consider what Security they can have,
 ' that they have not under us, or been offered by
 ' us; and whether the Doctrines these Men teach,
 ' and would have them defend, do not destroy the
 ' Foundations upon which their Security is built.
 ' And we do, lastly, declare again, and publish
 ' to all the World, That we shall proceed against
 ' all Persons whatsoever, that shall assist those Le-
 ' vies, by furnishing Horse, Money, and Plate, as
 ' against

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An. 18. Car. 1. 'against the Disturbers of the Public Peace, and the
1642. 'Authors of those Distractions which threaten the
June. 'Ruin of us and this Kingdom.'

How little Weight the King's *Reply* had with the Parliament, will appear by the following *Ordinance*, made and agreed to, this Day, by both Houses :

An Ordinance of Parliament for coining of Plate. 'Whereas great Quantities of Plate are brought to the Treasurers, appointed by both Houses of Parliament for the receiving of Plate and Money, according to the Uses expressed in the *Propositions* ; it is therefore ordered by the Lords and Commons in Parliament, That the said Treasurers shall have Power, by virtue of this *Order*, to melt down the said Plate, and cause it to be forthwith coined : And shall likewise have Power, from Time to Time, to melt down and cause to be coined, all other Plate as shall, hereafter, be brought in.'

June 20. A Copy of a Letter from Lord Paget was this Day entered in the *Lords Journals*, intituled, *The Reasons of his Departure from Parliament unto the King's Most Excellent Majesty at York* ; and is in these Words :

Lord Paget's Reasons for leaving the Parliament and going to the King, *I*T may seem strange that I, who, with all Zeal and Earnestness, have prosecuted, in the Beginning of this Parliament, the Reformation of all Disorders in Church and Common-Wealth, should now, in a Time of such great Distractions, desert the Cause. Most true it is that my Ends were the Common Good ; and, whilst that was prosecuted, I was ready to lay down both my Life and Fortune ; but, when I found a Preparation of Arms against the King under the Shadow of Loyalty, I rather resolved to obey a good Conscience than particular Ends ; and am now on my Way to his Majesty, where I will throw myself down at his Feet, and die a loyal Subject.

June 11, 1642.

PAGET.

We do not find any Notice taken of this *Letter* by the Lords ; but the same being printed and published

lified by one *Hugh Perry*, the Commons ordered An. 18. Car. I.
him to be summoned before their House; and he
was, afterwards, committed to the *Gatehouse*.
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We have before taken Notice from Mr. *Whitlocke*, That the Lord *Paget* had not only accepted of a Commission of Lord Lieutenant of the County of *Bucks*, under the *Ordinance* of Parliament, but had also appointed his Deputy-Lieutenants. This is confirm'd by Lord *Clarendon* with the following additional Particulars:—'The Lord *Paget*, who had contributed all his Faculties to the Parliament's Service, and to the Prejudice of the King's, from before the Beginning of the Parliament; had been one of their Teizers to broach those bold high Overtures soper Men were not, at first, willing to be seen in; had, with great Pomp and Solemnity, executed their *Ordinance*, in Defiance of the King's Proclamation; and had subscribed a greater Number of Horses for their Service, upon their *Propositions*, than any other of the same Quality (y); convinced in his Conscience, fled from them, and besought the King's Pardon: And, for the better manifesting the Tenderness of his Compunction, and the Horror he had of his former Guilt, he frankly discovered whatsoever he had known of their Counsels; and aggravated all the Ill they had done, with declaring it to be done to worse and more horrid Ends, than many good Men believ'd to be possible for them to propose to themselves.'

June 21. A Letter from the King, directed to the Speaker of the House of Lords, with an *Answer* inclosed to the *Nineteen Propositions* from the Parliament for Peace, was read in the House of Lords, and ordered to be sent down to the Commons.

This *Answer* begins with a long Recapitulation of all the Arguments, before urged, in his Majesty's *Messages* and *Declarations* to the Parliament, which we have already printed: Of these, therefore, we shall

(y) This Circumstance is rather too much exaggerated by the Noble Historian, as appears by the foregoing List of the subscribing Peers, as it stands in their Journals,

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His Majesty's
Answer to the
Parliament's
Nineteen Propo-
sitions.

shall content ourselves with Lord *Clarendon's* Abstract; giving only such Passages at large, as are a direct *Answer* to the *Propositions* themselves. (2)

‘THE King first reminded the Parliament of the Method they had observed in their Proceedings towards him: That they had first totally suppressed the known Laws of the Land, and denied his Power to be necessary to the making new ones, reducing the whole to their own *Declarations* and single *Votes*: That they had possessed themselves of his Magazines, Forts, and Militia: That they had so aw’d his Subjects with Pursuivants, long chargeable Attendance, heavy Censures, and illegal Imprisonments, that few of them durst offer to present their Tenderness of his Majesty’s Sufferings, their own just Grievances, and their Sense of those Violations of the Law (the Birth-right of every Subject of the Kingdom) tho’ in an humble *Petition* to both Houses; and if any did, it was stifled in the Birth, called *Sedition*, and burned by the Common Hangman: That they had restrained the Attendance of his ordinary and necessary Household Servants; and seized upon those small Sums of Money, which his Credit had provided to buy him Bread; with Injunctions that no Money should be suffered to be conveyed, or returned to his Majesty to *York*, or to any of his Peers or Servants with him; so that, in Effect, they had block’d him up in that County: That they had filled the Ears of his People

(2) The original Edition of this *Answer*, printed by *Barker*, the King’s Printer, makes above 40 Pages. It is to be found at large in *Rushworth*, Vol. IV. p. 725; in *Husband*, p. 307; and in the second Volume of the King’s Works, *Folio*, (printed by *Royson*, 1662) p. 85. With this *Answer* the King published the *Propositions*, also an *Order* for the Reading and Publishing thereof throughout all Churches and Chapels of *England* and *Wales*, by the several Parsons, Vicars, or Curates.

Lord *Clarendon* informs us, That the King was once resolved to have returned no *Answer* to the Parliament upon these *Propositions*; but to let the People alone to judge of the Unreasonableness of them, and of the Indignity offered to him in the Delivery of them; and that was the Reason of the short Mention he made of them, in the Close of his *Answer* to their *Declaration* of the 26th of *May*.

People with Fears and Jealousies, (though taken up upon Trust) Tales of Skippers, Salt-Fleets, and such like; by which Alarm they might prepare them to receive such Impressions, as might best advance their Design, when it should be ripe. And now, it seemed, they thought his Majesty sufficiently prepared for those bitter Pills; that he was in a handsome Posture to receive those humble Desires; which, probably, were intended to make Way for a Superfotation of a yet higher Nature; for they did not tell him, This was all. He said, he must observe, that those Contrivers, (the better to advance their true Ends in those Propositions) disguised, as much as they could, their Intents with a Mixture of some Things really to be approved by every honest Man; others, specious and popular; and some which were already granted by his Majesty: All which were cunningly twisted and mixed with those other Things of their main Design, of Ambition and private Interest, in hope that, at the first View, every Eye might not so clearly discern them in their proper Colours.

His Majesty said, if the 1st, 2d, 3d, 4th, 5th, 9th, 10th, 15th, 16th, and 19th Demands had been writ and printed in a Tongue unknown to his Majesty and his People, it might have been possible that he and they might have, charitably, believed the Propositions to be such as might have been in order to the Ends pretended in the Petition, to wit, *The Establishment of his Honour and Safety; the Welfare and Security of his Subjects and his Dominions; the removing those Jealousies and Differences which were said to have unhappily fallen betwixt his Majesty and his People; and procuring both his Majesty and them a constant Course of Honour, Peace, and Happiness*; but being read and understood by all, he could not but assure himself that that Profession, joined to those Propositions, would rather appear a Mockery and a Scorn; the Demands being such, that he were unworthy the Trust

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‘ Trust reposed in him by the Law, and of his De-
 ‘ scent from so many great and famous Ancestors,
 ‘ if he could be brought to abandon that Power
 ‘ which alone could enable him to perform what he
 ‘ was sworn to, in protecting his People and the
 ‘ Laws; and so assume others into it, as to divest
 ‘ himself of it, although not only his present Con-
 ‘ dition were more necessitous than it was, (which
 ‘ it could hardly be) and he were both vanquished
 ‘ and a Prisoner; and in a worse Condition than
 ‘ ever the most unfortunate of his Predecessors had
 ‘ been reduced to, by the most criminal of their
 ‘ Subjects; and though the Bait laid to draw him
 ‘ to it, and to keep his Subjects from Indignation
 ‘ at the Mention of it, the Promises of a plentiful
 ‘ and unparalleled Revenue, were reduced from
 ‘ Generals (which signify nothing) to clear and cer-
 ‘ tain Particulars; since such a Bargain would have
 ‘ but too great a Resemblance of that of *Esau’s*, if
 ‘ he would part with such Flowers of his Crown
 ‘ as were worth all the rest of the Garland, and
 ‘ had been transmitted to him from so many An-
 ‘ cestors, and had been found so useful and neces-
 ‘ sary for the Welfare and Security of his Subjects,
 ‘ for any present Necessity, or for any low and
 ‘ sordid Considerations of Wealth and Gain: And
 ‘ therefore, all Men knowing that those Accom-
 ‘ modations are most easily made, and most exactly
 ‘ observed, that are grounded upon reasonable and
 ‘ equal Conditions, his Majesty had great Cause to
 ‘ believe, that the Contrivers of those *Propositions*
 ‘ had no Intention of settling any firm Accommo-
 ‘ dation; but to increase those Jealousies, and widen
 ‘ that Division, which, not by his Majesty’s Fault,
 ‘ was now unhappily fallen between him and both
 ‘ Houses.

‘ It was asked, *That all the Lords and others of*
 ‘ *his Privy Council, and such great Officers and Mi-*
 ‘ *nisters of State, either at home or beyond the Seas,*
 ‘ (for, he said, Care was taken to leave out no Person,
 ‘ or Place, that his Dishonour might be sure not to
 ‘ be

be bounded within this Kingdom) *should be put* An. 18. Car. 1.
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from his Privy Council, and from those Offices and
Employments, unless they should be approved by both
Houses of Parliament, how faithful soever his Ma-
 jesty had found them to him and to the Public;
 and how far soever they had been from offending
 against any Law, the only Rule they had, or any
 others ought to have, to walk by. His Majesty,
 therefore, to that Part of that Demand, return'd
 this Answer, *That he was willing to grant that*
they should take a larger Oath, than they themselves
desired in their eleventh Demand, for maintaining
(not of any Part, but) the whole Law. And, he
 said, he had and did assure them, that he would be
 careful to make Election of such Persons in those
 Places of Trust, as had given good Testimonies
 of their Abilities and Integrities; and against whom
 there could be no just Cause of Exception, where-
 on, reasonably, to ground a Diffidence: That if
 he had or should be mistaken in his Election, he
 had and did assure them, that there was no Man
 so near to him, in Place or Affection, whom he
 would not leave to the Justice of the Law, if
 they should bring a particular Charge and suffi-
 cient Proof against him: That he had given them
 a *Triennial Parliament*, (the best Pledge of the
 Effects of such a Promise on his Part, and the best
 Security for the Performance of their Duty on
 theirs) the Apprehension of whose Justice would,
 in all Probability, make them wary how they
 provoked it; and his Majesty wary, how he
 chose such as, by the Discovery of their Faults,
 might, in any Degree, seem to discredit his Elec-
 tion: But that, without any Shadow of a Fault
 objected, only, perhaps, because they follow their
 Consciences, and preserve the established Laws;
 and agree not in such *Votes*, or assent not to such
Bills, as some Persons, who had then too great an
 Influence even upon both Houses, judg'd, or
 seem'd to judge, to be for the Public Good; and
 as were agreeable to that new *Utopia* of Religion
 and Government, into which they endeavour'd
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to transform this Kingdom, (for, he said, he remembered what Names, and for what Reasons, they left out of the Bill offered him concerning the *Militia*, those which themselves had recommended in the *Ordinance*) he would never consent to the displacing of any, whom, for their former Merits, and their Affection to his Majesty and the Public, he had entrusted; since, he conceived, that to do so would take away both from the Affection of his Servants, and Care of his Service, and the Honour of his Justice: And, he said, he the more wondered, that it should be ask'd by them, since it appears by the *twelfth Demand*, that themselves counted it reasonable, after the present Turn was served, that the Judges and Officers, who were then placed, might hold their Places *quamdiu se bene gesserint*: And he was resolved to be as careful of those whom he had chosen, as they were of those they would chuse; and to remove none, till they appeared to him to have otherwise behaved themselves, or should be convicted, by legal Proceedings, to have done so.

But, his Majesty said, that Demand, as unreasonable as it was, was but one Link of a great Chain, and but the first Round of that Ladder, by which his Majesty's Just, Antient, Regal Power was endeavoured to be fetch'd down to the Ground; for it appeared plainly, that it was not with the Persons now chosen, but with his Majesty's chusing, that they were displeased: For they demanded, *That the Persons put into the Places and Employments of those who should be removed, might be approved by both Houses*; which was so far from being less than the Power of Nomination, that of two Things, of which he would never grant either, he would sooner be content, that They should Nominate, and He Approve; than They Approve, and his Majesty Nominate; the meer Nomination being so far from being any Thing, that if he could do no more, he would never take the Pains to do That; when he should only hazard whom he esteem'd to the Scorn of a Refusal,
if

if they happened not to be agreeable not only to the Judgment, but to the Passion, Interest, or Humour of the present Major Part of either House: Not to speak of the great Factions, Animosities, and Divisions, which that Power would introduce in both Houses, and in the several Counties, for the Choice of such Persons to be sent to that Place where that Power was, and between the Persons that were so chosen. Neither was that strange Potion prescrib'd to him only for once, for the Cure of a present, pressing, desperate Disease; but for a Diet to him and his Posterity. It was demanded, *That his Counsellors, all chief Officers both of Law and State, Commanders of Forts and Castles, and all Peers hereafter made, be approved of, that is chosen, by them from Time to Time: And rather than it should be ever left to the Crown, (to whom it only did, and should, belong) if any Place fall void in the Intermission of Parliament, the Major Part of the approv'd Council was to approve them.* Neither was it only demanded that his Majesty should quit the Power and Right his Predecessors had of appointing Persons in those Places; but for Counsellors, he was to be restrained as well in the Number as in the Persons; and a Power must be annexed to those Places which their Predecessors had not. And, indeed, if that Power were passed to them, it would not be fit he should be trusted to chuse those who were to be trusted as much as himself.

He told them, to grant their Demands in the Manner they propos'd them, *That all Matters that concerned the Public, &c. should be resolved and transacted only in Parliament; and such other Matters of State, &c. by the Privy Council so chosen,* was, in Effect, at once to depose himself and his Posterity. He said, many Expressions in their Demands, had a greater Latitude of Signification than they seem'd to have; and that it concerned his Majesty therefore the more that they should speak out; that both he and the People might either

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'ther know the Bottom of their Demands, or know
 'them to be bottomless. Nothing more concern'd
 'the Public, and was indeed more proper for the
 'high Court of Parliament, than the making of
 'Laws; which not only ought there to be trans-
 'acted, but could be transacted no where else. But
 'then they must admit his Majesty to be a Part of
 'the Parliament; they must not (as the Sense was
 'of that Part of that Demand, if it had any) deny
 'the Freedom of his Answer, when he had as much
 'Right to reject what he thought unreasonable, as
 'they had to propose what they thought conveni-
 'ent or necessary. Nor was it possible his *Answers*,
 'either to *Bills* or any other *Propositions*, should be
 'wholly free, if he might not use the Liberty that
 'every one of them, and every Subject, took, to
 'receive Advice (without their Danger who should
 'give it) from any Person, known or unknown,
 'sworn or unsworn, in those Matters in which the
 'Manage of his Vote is trusted, by the Law, to
 'his own Judgment and Conscience; which how
 'best to inform was, and ever should be, left like-
 'wise to him. He said, he would always, with
 'due Consideration, weigh the Advices both of his
 'Great, and Privy Council; yet he should like-
 'wise look on their Advices as Advices, not as
 'Commands or Impositions; upon them, as his
 'Counsellors; not as his Tutors or Guardians;
 'and upon himself, as their King, not as their Pu-
 'pil or Ward: For, he said, whatsoever of Rega-
 'lity was, by the Modesty of Interpretation, left
 'in his Majesty in the first Part of the *second De-*
 '*mand*, as to the Parliament, was taken from him
 'in the second Part of the same, and placed in that
 'new-fangled Kind of Counsellors; whose Power
 'was such, and so expressed by it, that in all public
 'Acts concerning the Affairs of the Nation, which
 'are proper for the Privy Council (for whose Advice
 'all public Acts are sometimes proper, tho' never ne-
 'cessary) they were desired to be admitted Joint-Pa-
 'tentees with his Majesty in the Regality; and it
 ' was

‘ was not plainly expressed, whether they meant
 ‘ his Majesty so much as a single Vote in those Af-
 ‘ fairs; but it was plain they meant him no more,
 ‘ at most, than a single Vote in them, and no more
 ‘ Power than every one of the rest of his Fellow-
 ‘ Counsellors.’

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‘ And so, after a sharp Discourse and Explanation
 of the Unreasonableness of the several Demands, or
 the greatest Part of them; and the Confusion that,
 by consenting thereunto, would redound to the Sub-
 ject in general, as well as the Dishonour to his Ma-
 jesty, he told them, ‘ To all those unreasonable De-
 ‘ mands, his Answer was, *Nolumus Leges Angliæ mu-*
 ‘ *tari*: But renewed his Promise to them for a very
 ‘ punctual and strict Observation of the known
 ‘ Laws establish’d; to which Purpose he was willing
 ‘ an Oath should be framed by them, and taken by
 ‘ all his Privy Counsellors. And for any Altera-
 ‘ tion in the Government of the Church, that a
 ‘ National Synod should be called, to propose what
 ‘ should be found necessary or convenient: And
 ‘ that, for the Advancement of the *Protestant* Re-
 ‘ ligion against the *Papists*, they had not proposed
 ‘ so much to his Majesty as he was willing to grant,
 ‘ or as he had himself offered before. He concluded
 ‘ with conjuring them, and all Men, to rest satisfied
 ‘ with the Truth of his Majesty’s Professions, and
 ‘ the Reality of his Intentions, and not to ask such
 ‘ Things as they denied themselves: That they
 ‘ would declare against Tumults, and punish the Au-
 ‘ thors: That they would allow his Majesty Property
 ‘ in his Towns, Arms, and Goods; and his Share in
 ‘ the Legislative Power; which would be counted,
 ‘ in him, not only Breach of Privilege but Ty-
 ‘ ranny, and Subversion of Parliaments, to deny to
 ‘ them: And, when they should have given him
 ‘ Satisfaction upon those Persons who had taken a-
 ‘ way the one, and recalled those *Declarations* (par-
 ‘ ticularly that of the 26th of *May*, and those in
 ‘ the Point of the *Militia*, his just Rights wherein
 ‘ he would no more part with than with his Crown,

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left he enable others, by them, to take that from him) which would take away the other; and declined the Beginnings of a War against his Majesty, under Pretence of his Intention of making one against them: As he had never opposed the First Part of the *thirteenth Demand*, so he would be ready to concur with them in the Latter; and being then confident that the Credit of those Men, who desire a General Combustion, would be so weakened with them, that they would not be able to do this Kingdom any more Hurt, he would be willing to grant his General Pardon, with such Exceptions as should be thought fit; and should receive much more Joy in the Hope of a full and constant Happiness of his People in the true Religion, and under the Protection of the Law by a blessed Union between his Majesty and his Parliament, than in any such Increase of his own Revenue, how much soever beyond former Grants, as, when his Subjects were wealthiest, his Parliament could have settled upon his Majesty.

Nothing more done, of any Moment, in the House of Lords, for some Days, except passing one Bill by Commission, *For Encouragement of the Adventurers in Ireland*, till

June 25. When the King's Answer to the Parliament's Petition, presented to him on the 17th of this Month, in Favour of the *Yorkshire Petition*, which the King had refused to receive from the Hands of Sir Thomas Fairfax, at *Heworth-Moor*, was read. The said Answer, with the Petition that occasioned it, were as follows:

To the KING's Most Excellent Majesty,
The HUMBLE PETITION of the LORDS and COMMONS in Parliament assembled.

The Parliament's Petition to the King, in favour of the Yorkshire Petition, which he had refused.

YOUR Majesty's most humble and faithful Subjects, the Lords and Commons assembled in Parliament, have lately received a Petition from a great Number of the Gentry, Freeholders,

holders, and other Inhabitants of the County of *An. 18. Car. 1.*
York, assembled there by your Majesty's Com- *1642.*
 mand, the third of *June*; wherein they declare *June.*
 unto us, *That, having taking a Resolution to ad-*
dress themselves unto your Majesty in the humble
Way of a Petition, for the Redress of those Grie-
vances which they now lie under, they were vi-
olently interrupted and affronted therein by the
Earl of Lindsey, the Lord Saville, and others; and
notwithstanding all the Means they could use to
present their just Desires to your Majesty, yet they
could not prevail with your Majesty to accept of
their Petition; the Copy whereof they have sent
 to us, with an humble Desire, that we would
 take such Course therein as may tend to the Pre-
 servation of their Liberties, and the Peace of the
 Kingdom; and that we would address ourselves
 to your Majesty in their Behalf, that, by our Means,
 their Desires may find better Acceptation with
 your Majesty.

Whereupon having seriously weighed and con-
 sidered the Particulars of those their Complaints
 and Desires, as they are laid down in their *Peti-*
tion; and finding that the Grievances, they com-
 plain of, are the Increase of the Miseries formerly
 sustained by that County, (which hath, well nigh
 for three Years last past, been the tragical Stage
 of Armies and War) by reason of your Maje-
 jesty's Distance in Residence, and Difference in
 Counsels, from your Great Council the Parlia-
 ment, begetting great Distempers and Distractions
 throughout the Kingdom, and especially in that
 County; the Drawing to those Parts great Num-
 bers of discontented Persons, that may, too justly,
 be feared do affect the Public Ruin for their pri-
 vate Advantage; the Drawing together of many
 Companies of Trained Bands, and others, both
 of Horse and Foot, of that County, and retaining
 Multitudes of Commanders and Cavaliers from
 other Parts; the daily Resort of Recusants to your
 Majesty's Court at *York*; the great Preparations of
 Arms and other warlike Provisions, to the great

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Terror and Amazement of your Majesty's peaceable Subjects, and causing a great Decay of Trade and Commerce amongst them: All and every of which Particulars are against the Law, which your Majesty hath made so many and so frequent Professions to uphold and maintain:

The Lords and Commons finding, on the other Side, their humble Desires to be, That your Majesty would hearken to your Parliament, and, declining all other Counsels whatsoever, unite your Confidence to your Parliament; and that your Majesty would not divide your Subjects joint Duty to your Majesty, the Parliament and Kingdom; nor destroy the Essence of your Great Council and Highest Court, by subjecting the Determinations and Counsels thereof to the Counsels and Opinions of any private Person whatsoever; that your Majesty having passed an Act that this Parliament shall not be dissolved but by Act of Parliament, your Majesty would not do any Thing tending thereunto, by commanding away the Lords and great Officers, whose Attendance is necessary thereunto: And that your Majesty, having expressed your Confidence in the Affections of that County, would please to dismiss your extraordinary Guards, and the Cavaliers and others of that Quality, who seem to have little Interest or Affection to the Public Good; their Language and Behaviour speaking nothing but Division and War, and their Advantage consisting in that which is most destructive to others:

And, lastly, That, in such Consultations and Propositions as your Majesty maketh to that County, such may not be thrust upon them as Men of that County, that neither by their Fortune or Residence are any Part of it.

All which their humble and most just Desires being according to Law, which your Majesty hath, so often, declared should be the Measure and Rule of your Government and Actions: And we, your Majesty's most faithful Subjects, the Lords and Commons, fully concurring with the
Gen-

‘Gentlemen and others of the County of *York*, in An. 18. Car. 1.
 ‘their Assurance That those Desires of theirs will 1642.
 ‘abundantly redound to the Glory of God, the
 ‘Honour and Safety of your Majesty, the Good
 ‘of your Posterity, and the Peace and Prosperity of
 ‘this Kingdom, do humbly beseech your Majesty
 ‘graciously to hearken unto them, and to grant
 ‘them; and that you would join with your Parlia-
 ‘ment in a speedy and effectual Course, for the
 ‘Preservation of their Liberties, and the Peace of
 ‘the Kingdom; which Duty, as we are now called
 ‘upon by that County to discharge, so do we stand
 ‘engaged to God and Man for the Performance
 ‘thereof, by the Trust reposed in us, and by our
 ‘solemn Vow and *Protestation*; and your Majesty,
 ‘together with us, stands engaged by the like Obl-
 ‘igation of Trust, and of an *Oath*, besides the ma-
 ‘ny and earnest Professions and *Protestations* which
 ‘your Majesty hath made to this Purpose, to
 ‘your whole Kingdom in general, and to that
 ‘County in particular; the Peace and Quiet of this
 ‘Kingdom, (as is well observed by those Gentle-
 ‘men and Free-holders of *Yorkshire* in their *Peti-*
 ‘*tion*) being the only visible Means, under God,
 ‘wherein consists the Preservation of the *Protestant*
 ‘Religion, the Redemption of our Brethren in *Ire-*
 ‘*land*, and the Happiness and Prosperity of your
 ‘Majesty, and of all your Dominions.’

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*The KING's ANSWER to the foregoing PETITION
 of both Houses.*

‘**H**IS Majesty hath carefully weighed the His Majesty's
 ‘Matter of this *Petition*, presented to him at Answer.
 ‘*York*, on *Friday* the 17th of *June*, by the Lord Ho-
 ‘ward, Sir *Hugh Cholmley*, and Sir *Philip Stapylton*:
 ‘And tho' he might refer the Petitioners to his two
 ‘last *Declarations*, wherein most of the Particulars
 ‘in this *Petition* are fully answered, or might refuse
 ‘to give any *Answer* at all, till he had received Sa-
 ‘tisfaction in those high Indignities he hath so of-
 ‘ten complained of, and demanded Justice for;

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yet, that all the World may see how desirous his Majesty is to leave no Act, which seems to carry the Reputation of both his Houses of Parliament, and in the least Degree to reflect upon his Majesty's Justice and Honour unanswered, is graciously pleased to return this *Answer*:

That if the *Petition*, mentioned to be presented to both Houses of Parliament, had been annexed to this now delivered to him, his Majesty might have discerned the Number and the Quality of the Petitioners, which his Majesty hath great Reason to believe, was not in Truth so considerable as is pretended; for his Majesty assures you, That he hath never refused any *Petition* so attested as that would be thought to be: But his Majesty well remembers, That on the third of *June*, when there was, upon his Majesty's *Summons*, the greatest and most chearful Concurrence of People that ever was beheld of one County, appearing before him at *York*, a Gentleman (one Sir *Thomas Fairfax*) offered, in that great Confluence, a *Petition* to his Majesty; which his Majesty, seeing to be avowed by no Man but himself, and the general and universal Acclamations of the People seeming to disclaim it, did not receive; conceiving it not to be of so public a Nature, as to be fit to be presented or received in that Place. And his Majesty is most confident (and in that must appeal to those who were then present) that whatever the Substance of that *Petition* was, it was not consented to by any considerable Number of Gentry, or Freeholders of this County; but solicited by a few mean inconsiderable Persons, and disliked and visibly discountenanced by the great Body of the known Gentry, Clergy, and Inhabitants of this whole County. And if the Matter of that *Petition* were such as is suggested in this, his Majesty hath great Reason to believe it was framed and contrived (as many others of such Nature have been) in *London*, not in *Yorkshire*. For sure no Gentleman of Quality and Understanding, of this County, would talk of his great Preparations

' tions of Arms, and other warlike Provisions, to An. 18. Car. 1.
 ' the great Terror and Amazement of his peace- 1642.
 ' able Subjects, when they are Witnesses of the vi-
 ' olent taking his Arms from him, and stopping all
 ' Ways for bringing more to him: And if there
 ' were no greater Terror and Amazement of his
 ' Majesty's peaceable Subjects, in other Places, by
 ' such Preparations and Provisions, there would be
 ' no more Cause to complain of a great Decay of
 ' Trade and Commerce there, than is in this Place;
 ' But his Majesty hath so great an Assurance of the
 ' Fidelity and general Affections of his good Sub-
 ' jects of this County, (which he hopes will prove
 ' exemplary over his whole Kingdom) that he hath
 ' great Cause to believe, That they do rather com-
 ' plain of his Majesty's Confidence, and of his Slow-
 ' ness; that whilst there is such Endeavour abroad
 ' to raise Horse, and to provide Arms against his
 ' Majesty, and that Endeavour put in Execution,
 ' his Majesty trusts so much to the Justice of his
 ' Cause and the Affections of his People; and ne-
 ' glects to provide Strength to assist that Justice, and
 ' to protect those Affections. For any Affronts of-
 ' fered, by the Earl of *Lindsey* and the Lord *Saville*,
 ' to those who intended to petition his Majesty, his
 ' Majesty wishes that both his Houses of Parliament
 ' would have examined that Information, and the
 ' Credit of the Informers, with that Gravity and
 ' Deliberation, as in Cases which concern the In-
 ' nocence and Honour of Persons of such Quality
 ' hath been accustomed; before they had proscribed
 ' two Peers of the Realm, and exposed them (as
 ' much as in them lay) to the Rage and Fury of
 ' the People, under the Character of being Ene-
 ' mies to the Common-wealth; a Brand newly
 ' found out (and of no legal Signification) to in-
 ' cense the People by, and with which the Simpli-
 ' city of former Times was not acquainted: And
 ' then his Majesty hath some Reason to believe
 ' they would have found themselves as much abu-
 ' sed in the Report concerning those Lords, as he is
 ' sure they are in those which tell them of the *Re-*
 ' *sort*

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‘*sort of great Numbers of discontented Persons to him,*
‘and of the other Particulars, mentioned to be in
‘that *Petition*: Whereas they who observe what
‘Resort is here to his Majesty, well know it to be
‘of the prime Gentlemen of all the Counties in
‘*England*; whom nothing but the Love of Reli-
‘gion, the Care of the Laws and Liberties of the
‘Kingdom, besides their Affection to his Person,
‘could engage in so great Journies, Trouble, and
‘Expençe: Men of as precious Reputation, and as
‘exemplary Lives as this Nation hath any; whose
‘Assistance his Majesty knows he must not expect,
‘if he should have the least Design against Honour
‘and Justice; and such Witnesses his Majesty de-
‘sires to have of all his Actions.

‘*For the declining all other Counsels, and the uni-*
‘*ting of his Confidence to his Parliament*; his Ma-
‘jesty desires both his Houses of Parliament seriously
‘and sadly to consider, That it is not the Name of
‘a Great or Little Council that makes the Results
‘of that Council just or unjust; neither can the
‘Imputation upon his Majesty, of *not being advised*
‘*by his Parliament*, (especially since all their Ac-
‘tions, and all their Orders are exposed to the pub-
‘lic View) long mislead his good Subjects, ex-
‘cept in Truth they see some particular sound Ad-
‘vice, necessary to the Peace and Happiness of the
‘Common-wealth, disesteemed by his Majesty;
‘and such an Instance, he is most assured, neither
‘can nor shall be given: And that they will think
‘it Merit in his Majesty, from the Commonwealth,
‘to reject such Counsel as would persuade him to
‘make himself none of the Three Estates; and by gi-
‘ving up his Negative Voice, to allow them a Power
‘superior to that which the Law hath given him,
‘whensoever it pleaseth the Major Part, present,
‘of both Houses to say, *That he doth not discharge*
‘*his Trust, as he ought*; and to subject his, and his
‘Subjects, unquestionable Right and Property to
‘their *Votes*, without, and against, Law, upon
‘the meer Pretence of Necessity. And his Maje-
‘sty must appeal to all the World who it is *that*
‘*en-*

endeavours to divide the joint Duty of his Subjects; An. 18. Car. I.

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his Majesty, who requires nothing but what their own Duty, guided by the infallible Rule of the Law, leads them to do; or they, who, by Orders and Votes (opposite and contradictory to Law, Custom, Precedent, and Reason) so confound the Affections and Understandings of his good Subjects, that they know not how to behave themselves with Honesty and Safety; whilst their Conscience will not suffer them to submit to the one, nor their Security to apply themselves to the other.

It is not the bare saying, *That his Majesty's Actions are against the Law*, (with which he is reproached in this *Petition*, as if he departed from his often *Protestations* to that Purpose) must conclude him; there being no one such Particular in that *Petition* alledged, of which his Majesty is, in the least Degree, guilty. Whether the same Reverence and Esteem be paid by you to the Law, (except your own *Votes* be Judges) needs no other Evidence than those many, very many, *Orders*, published in Print, both concerning the Church and State; those long Imprisonments of several Persons, without hearing them, upon general Information; the great unlimited Fees to your Officers, worse than the Imprisonment, and the arbitrary Censure upon them when they are admitted to be heard: Let the Law be Judge by whom it is violated.

For that Part of the *Petition* which seems to accuse his Majesty of a *Purpose to dissolve this Parliament*, (contrary to the Act for the Continuance) *by commanding away the Lords and great Officers, whose Attendance is necessary*: This his Majesty well knows to be a new Calumny, by which the grand Contrivers of Ruin for the State hope to seduce the Minds of the People from their Affection to, or into Jealousy of, his Majesty; as if he meant, this Way, to bring this Parliament (which may be the Case of all Parliaments) to nothing. It is not possible for his Majesty more to express his Affection to, and his Resolution for, the Freedom

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dom, Liberty, and Frequency of Parliaments, than he hath done: And whoever considers how visible it must be to his Majesty, That it is impossible for him to subsist without the Affections of his People, and that those Affections cannot possibly be preserved, or made use of, but by Parliaments, cannot give the least Credit, or have the least Suspicion, that his Majesty would chuse any other Way to the Happiness he desires for himself and his Posterity, but by Parliaments.

But for his calling the Lords hither, or any others absenting themselves who have not been called, whoever considers the Tumults (which no *Votes* or *Declaration* can make to be no Tumults) by which his Majesty was driven away, and many Members of either House in Danger of their Lives; the Demanding of the Names of those Lords, who would not consent to their *Propositions*, by a *Message* from the House of Commons delivered at the Bar by Mr. *Holles*; with that most tumultuous *Petition* in the Name of many Thousands, (among many others of the same Kind) directed to the House of Commons, and sent up by them to the House of Lords, taking Notice of the Prevalency of a Malignant Faction which made abortive all their good Motions that tended to the Peace and Tranquility of the Kingdom; desiring that those Noble Worthies of the House of Peers, who concurred with them in their happy *Votes*, might be earnestly desired to join with that Honourable House, and to sit and vote as one intire Body; professing, That unless some speedy Remedy were taken for the Removal of all such Obstructions as hindered the happy Progress of their great Endeavours, their Petitioners should not rest in Quietness; but should be enforced to lay hold of the next Remedy which was at hand, to remove the Disturbers of their Peace; and (Want and Necessity breaking the Bounds of Modesty) not to leave any Means unessayed for their Relief: Adding, that the Cry of the Poor and Needy was, That

' That such Persons who were the Obstacles of An. 18. Car. I.
 ' their Peace, and Hinderers of the happy Proceed- 1642.
 ' ings of this Parliament, might be forthwith pub-
 ' lickly declared; whose Removal, they conceived,
 ' would put a Period to these Distractions. Upon
 ' which, a great Number of Lords departing, the
 ' *Vote*, in order to the *Ordinance* concerning the
 ' *Militia*, was immediately passed; though it had
 ' been twice before put to the Question, and re-
 ' jected by the Votes of much the Major Part of
 ' that House. And whoever considers the strange
 ' *Orders, Votes, and Declarations* which have since
 ' passed, to which whosoever would not consent,
 ' that is, with Freedom and Liberty of Language
 ' protest against, was in Danger of Censure and Im-
 ' prisonment, will not blame our Care in sending
 ' for them, or theirs in coming, or absenting them-
 ' selves from being involved in such Conclusions.
 ' Neither will it be any Objection, *That they stayed*
 ' *there long after any Tumults were, and therefore*
 ' *that the Tumults drove them not away.* If every
 ' Day produced *Orders and Resolutions* as illegal as,
 ' and indeed but the Effects of, the Tumults, there
 ' was no Cause to doubt the same Power would be
 ' ready to prevent any Opposition to those *Orders*
 ' after they were made, which had made Way and
 ' Preparation for the Proposition of them; and so
 ' whosoever conceived himself in Danger of future
 ' Tumults (against which there is not the least Pro-
 ' vision) was driven away by those which were past.
 ' And his Majesty hath more Reason to wonder at
 ' those who stay behind, after all his legal Power
 ' is *voted* from him, and all the People told, *That*
 ' *he might be, with Modesty and Duty enough, de-*
 ' *posed,* than any Man hath at those who have been
 ' willing to withdraw themselves from the Place
 ' where such desperate and dangerous Positions are
 ' avowed. This his Majesty doth not mention,
 ' with the least Thought of lessening the Power or
 ' Validity of any Act to which he hath given his
 ' Assent this Parliament; all and every of which he
 ' shall as inviolably observe, as he looks to have his
 ' own

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own Rights preserved; but to shew by what Means so many strange *Orders* have of late been made: And to shew how earnestly his Majesty desires to be present with, and receive Advice from, both Houses of Parliament, (against whom it shall never be in the Power of a Malignant Party to incense him) his Majesty again offers his Consent, That both Houses may be adjourned to any other Place which may be thought convenient, where his Majesty will be present, and doubts not but the Members of either House will make a full Appearance; and even the Intermision, which must attend such an Adjournment, may not be the least Means of recovering that Temper which is necessary for such Debates.

And this his Majesty conceives to be so very necessary, that if the Minds and Inclinations of every Member of either House were equally composed, the Licence is so great that the mean People about *London* and the Suburbs have taken, that, both for the Liberty and Dignity of Parliament, that Convention, for a Time, should be in another Place. And sure, how much soever the Safety and Security of this Kingdom depends on Parliaments, it will never be thought that those Parliaments must of Necessity be at *Westminster*.

His Majesty's Confidence is no less than he hath expressed (and hath great Cause to express) in the Affections of this County; an Instance of which Affections all Men know his Guard (which is not extraordinary) to be; and wonders that such a legal Guard, at his own Charge, for his Person, (within twenty Miles of a Rebellion, and of an Army in Pay against him) should be objected to by those, who, for so many Months, and in a Place of known and confessed Security, have, without and against Law, kept a Guard for themselves, at the Charge of the Common-wealth, and upon that Stock of Money which was given for the Relief of the miserable and bleeding Condition of *Ireland*, or the Payment of the great Debt due to our Kingdom of *Scotland*.

For

For the Resort of *Papists* to the Court; his Majesty's great Care for the Prevention thereof is notoriously known: That when he was informed two or three of his intended Guard were of that Religion, he gave special Direction, with Expressions of his Displeasure, that they should be immediately discharged; and provided that no Person should attend on him, under that Relation, but such as took the Oaths of Allegiance and Supremacy; that he commanded the Sheriff to proceed with all Severity, according to the Law, against all *Papists* that should come within five Miles of the Court; and if, notwithstanding this, there be any *Papists* near the Court, (which his Majesty assures you he knows not, nor hath heard, but by this *Petition*) he doth hereby command them to depart; and declares to all Officers and Ministers of Justice, that they shall proceed strictly against them, according to the Law, and as they will answer the contrary at their Perils.

An. 18. Car. I.
1642.
June.

For the Language and Behaviour of the Cavaliers (a Word, by what Mistake soever it seems, much in Disfavour) there hath not been the least Complaint here; and therefore 'tis probable the Fault was not found in this County. Neither can his Majesty imagine what is meant by the Mention of *any Men thrust upon them, in such Consultations and Propositions as his Majesty makes to this County, who are neither by their Fortune or Residence, any Part of it*; and therefore can make no Answer to it.

To conclude: His Majesty assures you, he hath never refused to receive any *Petition*, (whether you have or not yourselves best know) and will consider what Reputation it will be to you of Justice or Ingenuity to receive all *Petitions*, how senseless and scandalous soever, of one Kind, under the Pretence of understanding the good Peoples Minds and Affections; and not only refuse the *Petition*, but punish the Petitioners of another Kind, under Colour, That it is a Crime, that they are not satisfied with your Sense; as if
you

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An. 18. Car. 1.
1642.

June.

‘ you were only trusted by the People of one Opinion, to take all Pains to publish and print *Petitions* which agree with your Wishes, though they were never presented ; and to use the same Industry and Authority to keep those, that indeed were presented and avowed, from being published, (tho’ by our own Authority) because the Argument is not pleasant to you ; to pretend Impartiality and Infallibility, yet to express the greatest Passion and Affection in the Order of your Proceedings, and no less Error and Misunderstanding in your Judgments and Resolutions.

‘ He doth remember well the Obligation of his Trust, and of his Oath ; and desires that you will do so too, and your own solemn Vow and *Protestation* ; and then you will not only think it convenient, but necessary, to give his Majesty a full Reparation for all the Scandals laid upon him, and all the scandalous Positions made against him ; and that it is less Dishonour to retract Errors, than, by avowing, to confess the Malice of them ; and will see this to be the surest Way for the Preservation of the *Protestant* Religion, the Redemption of your Brethren in *Ireland*, the Happiness and Prosperity of yourselves, and all our Dominions, and of the Dignity and Freedom of Parliament.’

A Conference
thereupon.

The foregoing *Petition* and *Answer* being read, the Lords resolved to desire a Conference with the Commons thereupon, ‘ Being (as it is expressed in their *Journals*) a Matter the most dangerous and highest that ever came to them ; whereby it appeared, that divers scandalous and false Informations were come to his Majesty’s Ears, even of Things within their own Walls ; which, because he seemed to believe and declare to the World, under his own Name, it was high Time for both Houses to clear themselves from those Calumnies, by the Punishment of those false Informers, and by all other good Ways that can be thought of.’ This was to be the Subject of the Conference.

It was also *ordered*, ' That it be referred to the Committee, formerly appointed to clear the House from the Imputations laid on them in his Majesty's *Messages*, to collect all the Falsities and Scandals contained in this and the other *Messages*; to set them forth in one *Declaration*; and to shew the several Violations of the Laws, since the Professions to the contrary; yet notwithstanding to express their Duty to his Majesty, and their Care of the Peace; and to declare, that the House does intend to go on with the *Propositions*; and that, at the Time of these sharp *Messages*, there is a Gathering of Forces together, and a Design to fortify *Newcastle*; and to shew what Necessity there is, upon these Occasions, to stir up the People to their Subscriptions.'

An. 28. Car. I.
1642.
June.

A *Proclamation* of the King against levying of Horse, bringing in of Money, Plate, &c. for the Use of the Parliament, having been attempted to be proclaimed in *London*; and, by Order of the Lord Mayor, posted up at the usual Places in the City; the Sword Bearer, who did it, was sent for, and committed to the Fleet. The Lord Mayor and Sheriffs were also ordered to attend the House the next Day: But the Lord Mayor, at his Appearance, averring, That he was bound, by his Oath, to execute all Writs from the King, he was told by the Speaker, in the Name of the House, ' That he was not bound, by any Oath, to execute any Writ against Law; and that they required him not to publish any Thing of that Kind, before he had acquainted the Parliament therewith; as he would answer the contrary at his Peril.'

The Lord Mayor, &c. censured for dispersing a Proclamation of the King's.

Nothing material happened after this, in the House of Lords, till the next Month; but, on the 27th of this, the Commons took into Consideration their *Nineteen Propositions* to the King for Peace, and his *Answer* to them: And, in a full House, it was first *resolved*, ' That the House should not insist upon naming the Lord High Steward of *England*, mentioned in the *third Proposition*.

Debate on the
Nineteen Propo-
sitions.

Re-

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Junc.

Resolved, 'That the House shall insist upon the Lord Chancellor, or Lord Keeper of the Great Seal, to be always chosen with the Approbation of both Houses of Parliament.'

The like *Resolutions* were separately made on the Parliament's Nomination of the Lord Treasurer, Lord Admiral, Lord Chief Governor of *Ireland*, Master of the Wards, the two Chief Justices and the Chief Baron; but they gave up to the King the Election of the Lord Privy-Seal, the Earl Marshal, Warden of the *Cinque-Ports*, Chancellor of the *Exchequer*, and the two Secretaries of State: With some other Amendments.

Affairs at this Time began to grow very critical between the King and Parliament; and, after so long a Paper War as had been carried on and still continued, both Sides seem now resolved to determine the Controversy by the Sword. The Parliament had received repeated Assurances from their Agents, the Lord Lieutenants, of the good Success of their *Militia Ordinance* in most Parts of the Kingdom; and they had now great Store of Men and Money in Readiness, tho' we do not find that any considerable Number of Forces were yet drawn together: But that the Minds of all the King's Subjects were not, at this Time, wholly alienated from him, will appear from the following remarkable *Letter*, sent from the Sheriff and Gentry of the County of *Nottingham*, to Sir *Thomas Hutchinson*, Knt. and *Robert Sutton*, Esq; their Representatives in Parliament; which, as it will best express the Sense of the Royal Party at this Time, we shall give in its own Words: (a)

Gentlemen,

A Letter from the Sheriff and Gentry of *Nottinghamshire* to their Members.

*F*inding, to our great Grief, by divers printed Declarations, the unhappy Differences betwixt his Majesty and his Parliament; and from thence apprehending great Fear of further Distractions, we have thought

(a) From the original Edition, printed at York, July 1, 1642, by Robert Barker.

thought fit to impart our Hearts freely unto you as Men chosen by, and intrusted for us, to represent us and our Desires in the Honourable House of Commons.

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In the first Place, upon all Occasions, we desire you to tender the Acknowledgement of our humble and hearty Thanks for those many good Laws, which, by their Care and Wisdom, together with his Majesty's Grace and Favour, have been obtained for us, both for the securing us in the Point of our Property, and also for the freeing us from the unlimited Power of Arbitrary Government: And herein his Majesty having concurred with you in all that we could expect or can desire, both for our Persons and Estates; and at several Times promised to join with his Parliament for the reforming and reducing both the Doctrine and Discipline of the Church to the best and purest Times since the Reformation; and if this were done, what others would expect we know not, we desire no more.

And now we cannot but stand amazed to see the King, the Lords, and Commons agree in all that we can think necessary for Reformation, and for securing us hereafter to be governed according to the good Laws of the Land in Force, and yet such great Distraction among those three Estates. We heard long since Reports, and saw printed Papers of the great Dangers of Papists, and that even in our own County; but believe there was no Truth nor Ground for any such. We heard great Rumours of foreign Forces from France and Denmark; but, Thanks be to God, we see no such Danger: And yet, under these Pretences, there is great Preparation of putting us in a Posture of Defence, and a great Necessity pretended of settling the Militia; but we see more Cause to fear the Remedy than the Disease: For this Posture, as you call it, of Defence doth carry a Face of War with it even amongst ourselves; and concerning it we are distracted with contrary Commands; the Houses of Parliament command one Thing, the King forbids that Command; the King commands, and the Houses of Parliament forbid that Command; and we are at a Stand; but yet we are ever ready to yield Obedience to all the known Laws of the Land; and we have ever been taught, That

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all those Laws were made by Parliaments, consisting of three Estates, the King, Lords, and Commons; and we think it dangerous to untwist that triple Cord: And we hold it our greatest Privilege, That the King and Lords, whom we have heard sometime joined in Council, could not make a Law to bind us without our Consent in Parliament; and, by the same Reason, we cannot expect that the Commons, with the Lords, should make a Law, or an Ordinance of the Force of a Law, to bind without the King, especially against the King. And as we do not yield any Act of Obedience to the King's Command simply, but as it is warranted by Law, made by his Authority, with the Consent of both Houses, so we shall not conceive ourselves bound to obey one or both Houses without the King, but in such Things as are according to the known Laws of the Land.

When the King, by his Writ, gave us Power to chuse you, it was to treat De quibusdam arduis, &c. We never conceived your only Votes should be our Law, nor conceived we had such a Power to confer upon you: And we require you not to consent to lay any such Command upon us, nor to engage us in any Civil War for the Maintenance of such Votes, under Colour of Privileges, against our lawful King; to whom many of us, by the Appointment of the Law, have taken the Oath of Supremacy and Allegiance, to which all of us are bound. And beside, we have, at the Command of both Houses, taken the late Protestation; wherein we have vowed to maintain the Doctrine of the Church of England, his Majesty's Royal Person, Honour, and Estate, the Privileges of Parliament, and the Liberties of the Subject; and we shall endeavour to maintain every Part and Clause thereof respectively with our Lives and Fortunes: And we conceive our best Directions therein to be the known Laws, the Maintenance whereof we account our only Liberty and Defence. And we account the surest Way to enjoy the Benefit of these Laws, is to join and comply with his Majesty, under whose Protection, next under God, we can only hope to enjoy the Benefit thereof; especially his Majesty having, since this Parliament, joined in the making of

as

as good Laws as ever any King hath done; and made so gracious Promises of his future Government according to the Law, and given abundant Satisfaction for some unhappy Accidents in his past Government, that we conceive great Cause to return him cheerful Thankfulness for these Laws; and to yield a faithful Obedience, and to confide in him for the future.

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1642.
June.

This is the clear Expression of our Hearts: This is what we desire you to consent in for us. And we shall heartily pray that we might be an Example to many others to make the like Expressions; and then we should not doubt but this would bring a right Understanding betwixt the King and his People; and take away all Fears and Jealousies, and settle a firm Peace amongst us.

We should gladly, with all Humility, have petitioned your Honourable House, but still to this Purpose; but we understand some Counties have done so, which hath been displeasing unto them, because contrary to their Sense; and we, perhaps, through Ignorance, might fall into the same Error: Yet we hope it will not be displeasing unto you, that we give you our Sense freely, for you are us; and we hope you will not be unwilling to follow our Sense, so far as you conceive it to be the Sense of your County, whose you are, and for whom you serve. And so we rest

Your very loving Friends and Countrymen,

John Digby, High Sheriff	Edmund Hastings
John Byron	Edward Andrews
Richard Parkyns	Thomas Blackwall
William Appleton	William Sandys
Robert Pilson	Thomas Longford
George Lascelles	Gervase Sandford
Matthew Palmer	Richard Harpur
Roger Cooper	Gabriel Armstrong
Isham Parkyns	Acton Burnell
Jo. Wood	Samuel Bolles
Gervase Holles	Rowl. Pand
Richard Byron	John Odingells
Jo. Nevile	Anthony Gilby

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Robert Eyre
Parke Cressly
Thomas Houlder
Robert Saunderfon
John Walker
Thomas Fox
J. Bolles
William Smyths
Nich. Stoyt
Thomas Hollowell
Richard Draper
Thomas Atkinson
Lancellot Rolston
Thomas Newton
William Wild
Herbert Leek
Thomas Brown
William Smythson
Jo. Gosling
William Oglethorpe
George Lascelles
John Clay
George Mitford
William Needham
Richard Brough
John Butterworth
Thomas Poole

John Lee
Jo. Wordsdale
William Shipman
Charles Leek
William Apsley
Francis Cavendish
Charles North
Matthew Palmer
Richard Hollowell
Roger Jackson
John Leeke
Richard Simman
Stephen Broome
William Colby
John Newport
Henry Caldecott
Edward Holland
Henry Broome
William Hacker
James Forbeny
Job Holden
Richard Bowyer
William Pocklington
Henry Green
Walter Garrington
John Grundy
G. Flower

To return to the *Journals* :—

July 1. The Lord Admiral informed the Lords, That some Letters, intercepted by a Ship stationed on the *Northern Coast*, were sent to him, which did concern the Safety of the Kingdom: And one of them, wrote by Colonel *Wilmot* to one Mr. *Crofts*, in *Holland*, was then read, and was in *hæc Verba*.

Dear W I L L.

An intercepted
Letter from Col.
Wilmot.

BY these last Letters to the Queen, you will find a great Alteration of Business here. The King, that, very lately, appeared almost abandoned by all his
Sub-

Subjects, is now become the Favourite of the Kingdom ; An. 18. Car. I. yet, I believe, his Enemies are not so neglected, as not to be able to raise an Army to oppose him : And, indeed, here lies the Test, for they will be followed just enough to forfeit their Estates ; which, I have heard you often say, were better bestowed on some of us.— Yesterday there came a Messenger from the House, who had an Order, and did raise the Power of the County to entreat Berkley, Ashburnham, and myself, to come to speak to the House ; but the King gave the Messenger a short Answer, and an Officer, or two, gave him a short Cudgel ; so he is returned to London a fine Gentleman, with his Arm in a Scarf. Dear Will conserve me in your good Opinion, for I assure you I am

1642.
July.

Your affectionate humble Servant,

York, June 22,
1642,

H. WILMOT.

At a Conference this Day, also, the Commons communicated an Abstract of some Letters they had received from Newcastle, dated the 22d and 28th of June, which were as follows.

WE fear a Storm, and we see it already begun. Informations
The Earl of Newcastle came here on Friday from Newcastle.
last, to be Governor of Newcastle. He hath taken up a great many Soldiers, and our Town is now guarded. Capt. Legge is there with a great many debauched Commanders ; and Drums go about for all Soldiers that will serve the King and Parliament, as they say ; they refuse none, whatsoever Condition they be of.

Three hundred Soldiers are sent down to Tinmouth Castle to guard it ; and they have all Arms given them out of the Magazine here in this Town : There are great Guns going down to them, six Pieces : They are casting up Trenches as fast as may be : There is a Fort making at the Haven Mouth, that no Ships can go in or out without their Leave. We never lived in the like Fear which now we live in.

The Earl of Newcastle, who is Lord-Lieutenant, hath forced all his Tenants to take up Arms ; and

R 3

there

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An. 18. Car. I. *there is many of Sir William Widdrington's own*
 1644. *Tenants have taken Arms. Sir William is now at*
 July. *this present in Parliament; but his Chief Steward*
brought them in. I was down at Shields and saw the
Trenches myself. Yesterday all the Constables in this
Town were commanded to go through their several
Wards, and take Notice what Arms are in them, and
to give a List to the Lord-Lieutenant. They have
got Engineers out of Germany, and Gunners for
their great Guns. The Earl of Newcastle came
hither last Week, and, in his Way, gave out a Warrant
to the Sheriff and other Officers of the County of Dur-
ham, to send here 100 Horse, and 500 Foot with
their Officers. There are come in, of the Earl's and
Sir William Widdrington's Tenants, about 200, and
have taken Arms much against their Wills. At Dur-
ham the Drum beat up, they said, for the King; but
since they came here, it is struck up for the King and
Parliament. The Earl is making Forts at Shields, one
on each Side. There is divers of the great Ordnance
removed to the Key-side to be sent down. There is
here an Expectation of some Direction from Parlia-
ment to countermand them; and if speedy Course were
yet taken, it might reduce all that is done.

Next follows in the *Journals*, a Copy of the Earl of Newcastle's *Warrant*, directed to the High Sheriff, Deputy-Lieutenants, and Justices of the Peace for the County of *Durham*, for raising 100 Horse and 500 Foot, as aforesaid; which, being only Matter of Form, we omit, in order to come at the more material *Resolutions* of Parliament upon this Intelligence. And,

A Conference
thereupon.

First, Was represented the Inconveniences and Danger, by bringing of Soldiers into *Newcastle*; as, That it was an easy Receptacle for foreign Forces. A Receptacle, also, for such ill-affected Persons, as might repair thither out of the *South Parts of Scotland*. They would have the Power of restraining the Trade of Sea-Coal, and enhancing the Price, having the entire Command over them. The well-affected People there would be too much dis-

discouraged, as they had been too much already, An. 18. Car. I. 1642. by putting in these Forces; and the *Papists*, thereabouts, would be much encouraged, wherewith *Northumberland* and the *Bishoprick* do much abound; and the Party of Malignant Clergy, which is strong there also, would be ready to join with them. *Lastly*, The Fear of begetting a Jealousy between the two Nations of *England* and *Scotland*, and breaking the *Pacification*.

Next, For the Illegality of this Proceeding: It was done by a *Warrant* from the Earl of *Newcastle*, to the Sheriff, Deputy-Lieutenants, &c. of the Bishoprick of *Durham*; reciting a *Warrant* of his Majesty's, who had made him Lord-Lieutenant of the Counties of *Northumberland* and *Durham*, and Governor of *Newcastle*, and giving him Power to place a Garrison there. This was illegal, because all such Commissions of Lieutenancy, &c. were declared to be against Law. The Drawing of armed Men, out of one County into another, by any *Warrant*, as this was, is also against Law.

The Remedy proposed for this, was, *first*, To set out a *Declaration* against this illegal Proceeding. *Next*, To command the Inhabitants of the Counties of *Durham* and *Northumberland*, not to suffer such Forces to go out of their Counties; nor to send any such into *Newcastle*; with an Inhibition to the Inhabitants of that Place to receive any. That two of the King's Ships should be sent to guard the Mouth of the *Tyne*, and to receive and execute, from Time to Time, the Directions of Parliament, for the Preservation of that Place, and prevent the Inconveniences that may happen from the new built Fort. All which was agreed to by both Houses.

In the Afternoon of this Day the Lords read a Account of Officers, Ammunition, &c. coming from Holland, for the King's Use. long Letter from *Amsterdam*, with an exact Description of all the Arms bought in *Holland*, and then embarking from thence for the *North* of *England*. That on board these Vessels were, also, Prince *Rupert*, Prince *Maurice*, Lord *Denbigh*, Lord *Digby*, O'Neal that Traitor, Sir *Lewis Dives*, Capt. *Hyde*, and

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An. 18. Car. 1. and Col. *Wilson*, sent for out of *Germany*, with many other Gentlemen and Commanders.

1642.

July,

Proceedings against his Majesty's Commission of Array.

Next was read a *Petition* from the Town of *Nottingham*, desiring the Parliament's Protection from a Surprise of that Place and Castle, of great Strength, and situated to command the River *Trent*, the great *North Road*, and the adjacent Country.

The King's Commission of *Array* having been proclaimed and published in *London*, it was ordered, That the Lord Mayor, the Sheriffs, the Mace-Bearer, and all other Officers that had any Hand in this Proclamation, should attend the House the next Morning : And

A *Declaration* of Parliament having been framed, by the Commons, against the King's Commission of *Array*, it was, this Day, agreed to by the Lords, and ordered to be forthwith printed and published. (b)

An *Ordinance* was made to constitute *Robert* Earl of *Warwick* Commander in Chief over all the Fleet, now at Sea, with a full Commission to remove or displace all Officers whatsoever, &c. instead of the Earl of *Northumberland*; who is therein styled a Person of known Integrity and Honour, whom the Kingdom might safely confide in, but lately discharged, by the King, from being Lord High Admiral of *England*.

A great many Letters of Intelligence, from different Parts of the Kingdom, besides what we have mentioned, were this Day read ; which, altogether, without the *Declaration* against the *Array*, makes no less than forty-four Pages in the *Lords Journals*.

July 2. The Lords were informed, That the Lieutenant of the *Tower* had a Warrant from the King to release Mr. *Benyon* from his Imprisonment, and that the King had pardoned him his Offences for which he was committed ; which were the promoting a *Petition* from the Citizens of *London* against the

(b) This *Declaration* against the Commission of *Array*, &c. and the King's *Answer*, which, on account of their Prolixity, we omit, may be found in *Rushworth* Vol. IV. p. 661. et seq. and in *Husband* from p. 386 to 441.

the Ordinance for the Militia (c). The Lieutenant was examined about it, who produced his Warrant, and said, that the said Benyon was now at his own House with his Keeper. Hereupon the Usher of the Black Rod was ordered to attach the Body of George Benyon, and bring him presently before the House. But we hear no more of him.

An. 18. Car. 1.
1642.
July,

The Lord Mayor's Attendance on the House was deferred to the 5th Instant.

A Conference was this Day held between the two Houses, concerning a Book, lately published by the King, relating to Levies, in Answer to one called, *A new Declaration of the Lords and Commons, of the 18th of June last, &c.* in which the Lords desired the Commons to consider into what Condition all those Persons are brought, who have obeyed the Orders and Commands of Parliament, and this Declaration would give them a clear View of it. They desired the House of Commons would so take it to Heart, that there might be a speedy Course taken, by both Houses, to provide for the Safety of the Sitting of Parliament, the Lives of the Members thereof, and of all those who have obeyed their Commands.

A Conference concerning the King's Declaration about Levies,

July 4. At a Conference of both Houses, a Letter sent from the King to the Earl of Warwick was read, importing, 'That whereas his Majesty had discharged the Earl of Northumberland from being Lord High Admiral of his Fleet, this was to charge the said Earl, on his Allegiance, and as he tendered the Peace of the Kingdom, to give over and relinquish the Command he had, or pretended to have, in any of the King's Ships; since it was notoriously known, that, by the Laws of the Land, it was no less than High Treason, for any Person whatsoever, to detain any of his Majesty's Ships contrary to his Commands.

Letters, Orders, &c. relating to the Command of the Fleet.

Then a List was shewn of such Officers, as, at a Council of War, held on board the *James*, agreed

to

(c) The Proceedings against this Gentleman are recited, at large, in our Tenth Volume, p. 394, at seq.

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An. 18. Car. 1. 1642.
 July. to obey the *Ordinance* of Parliament, and the Earl of *Warwick's* Commands, to the Number of ten Captains and six Masters: But Sir *John Mennes*, Capt. *Robert Slingsby*, Capt. *John Burley*, Captain *R. Fogg*, and Capt. *Baldwin Wake*, sent Letters each of them to the Earl, which Letters were read in the House, declaring, 'That they had all received Injunctions from the King, and therefore they could not obey his Commands.' On which they were ordered, by the House, to be sent for as Delinquents; and that, if they refused to come, the Earl was desired to cause them to be apprehended, and to place Persons of Trust in their Room. Also, a *Declaration* of Thanks was ordered to be sent to the Earl of *Warwick*, and to desire him to communicate the same to his Captains, and they to the Mariners under them. At the End of this *Declaration* of Thanks the Parliament absolutely promised, 'To defend and protect them, by their Power and Authority; notwithstanding the King's declaring it to be Treason, by his *Letter* to the Earl of *Warwick*; which, they said, was altogether against Law.'

Persons punished
 for aspersing the
 Parliament.

Many were the People that were, at this Time, summoned as Delinquents by each House of Parliament, for the least disrespectful Word against any particular Member, or the Proceedings of Parliament, and punished by Fine and Imprisonment. Two were tried this Day at the Lords Bar; one of them, Mr. *Windebank*, for saying, 'That Mr. *Pymme* had taken a Bribe of 30 *l.* sitting in the Chair in *Easter* Term: That he had as many Sugar Loaves given for Bribes, as he had sold for 6 or 700 *l.* That before he was a Parliament-Man he was worth little; but he had now cozen'd the King of as much Money, as he had bought a good Estate, and given 10,000 *l.* of the King's Money, to the Marriage of his Daughter.'

July 5. At a Conference, this Day, a *Letter* was produced and read by the Commons: It came from
 Sir

Sir *John Hotbam*, and others of the Parliament's Committee at *Hull*, signifying, 'That a Ship, called *Providence*, came from *Holland*, laden with Ammunition, great Guns, &c. into the *Humber*; and, to avoid being taken, had run herself on Ground near a Village called *Paul*: That he had done his best to take her by Land, but was prevented by the Train'd Bands of *Holderness*, and a Report of the King's coming from *York*, in Person, to protect her.' (d)

An. 18. Car. 1.
1642.
July.

Both Houses agreed in publishing an Order, 'That whereas several Proclamations, Declarations, and Papers in Forms of Proclamations, had issued out in his Majesty's Name, commanding all Parsons, Vicars, Curates, Sheriffs, Mayors, Bailiffs, and other Officers, to publish and proclaim the same, contrary to Law and divers Orders, Ordinances, and Declarations of Parliament; and much to the Scandal and Derogation of it, &c. This was to inhibit all such Parsons, and other Officers, from doing the same; and those that refused in that Manner, should be protected by the Power and Authority of both Houses of Parliament.'

Orders against publishing the King's Declarations, &c.

Consonant to this Order, and to make one great Example for the rest, the same Day the Commons sent up Serjeant *Wylde*, with an Impeachment against Sir *Richard Gurney*, Knt. and Bart. Lord Mayor of the City of *London*, importing, 'That the said Sir *Richard*, on or about the last Day of *June*, 1642, being then Lord Mayor of *London*, in several Places of the said City, unlawfully and maliciously, caused a Proclamation to be made for the putting in Execution the Commission of *Array*; tending to the raising of Forces against the Parliament, and to the Subversion of the Laws and Peace of this Kingdom: For the which the House of Commons did impeach the said Sir *Richard Gurney*, in their Names, and of all the Commons of *England*, of high Crimes and Misdemeanors; and they

The Lord Mayor impeached for proclaiming them.

(d) Lord *Clarendon* gives a very particular Account of this Ship's being closely chased by three Men of War; and informs us, That there was on board of her about 200 Barrels of Powder, and 2 or 3000 Arms, with seven or eight Field Pieces.

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desire that he may be called to a speedy Answer, in the Presence of the Commons.'

The Lord Mayor, being at the Bar, was asked for his Answer, who confessed, 'That he caused the said *Proclamation* to be published.' And being again asked, Whether he would justify and stand by his Answer, or not? He said, 'That he desired Counsel to advise him in that, and some Time to answer.' Hereupon Counsel was allowed him; and that he should put in his Answer, personally, on the eighth Instant.

A Letter from the Earl of *Warwick* to Mr. *Pymme* was read, with an Account of his reducing the five refractory Captains to Obedience; which, tho' printed in *Rusworth*, yet, as it evidently shews the Temper and Disposition of the Fleet at this Time, we shall give in its own Words:

Mr. *Pymme*,

The Earl of
Warwick's Letter
concerning
the Fleet.

*B*Efore these shall come to your Hand, I make no Doubt but Mr. *Nicholls*, of the House of Commons, hath made both Houses a Relation of what hath passed here, since I received his Majesty's Letters for the Discharging me of the Command of the Fleet wherewith I was intrusted: How I called a Council of War, and acquainted them with his Majesty's Letters, and likewise with the Ordinance of Parliament, sent from the Houses for me to continue my Charge.

I confess it was a great Strait that I was in, between two Commands that had so much Power over me: But when I consider the great Care which I have ever observed in the Parliaments of this Kingdom, for the Good and Safety of the King and Kingdom, and every Man's Particular in them; and that they are that Great Council, by whose Authority the Kings of England have ever spoken to their Subjects; and likewise that the Trust of this Fleet, for the Defence of his Majesty and the Kingdoms, was committed to me by them; and knowing the Integrity of my own Heart to his Majesty and Parliament, I resolved not to desert that Charge committed to my Trust, wherein God
(blessed

(blessed be his Name for it) hath made me hitherto so successful; but to continue untill I shall be revoked by that Authority that hath entrusted me with it; which having declared to my Captains at the Council of War, all of them unanimously and chearfully took the same Resolution, excepting the Rear-Admiral Sir John Mennes, Capt. Fogge, Capt. Burley, Capt. Slingsby, and Capt. Wake; all which five refused to come upon my Summons, as having no Authority over them; and got together, round, that Night, to make their Defence against me; only Capt. Burley came in and submitted to me: Hereupon, in the Morning, I weighed my Anchors and caused the rest of the Ships so to do, and came to an Anchor round about them, and besieged them; and, when I had made all Things ready, I summoned them: Sir John Mennes and Capt. Fogge came in to me, but Capt. Slingsby and Capt. Wake stood out; whereupon I let fly a Gun over them, and sent them Word I had turned up the Glass upon them; if in that Space they came not in, they must look for me aboard them. I sent to them by my Boat, and most of the Boats in the Fleet; their Answer was so peremptory, that my Masters and Sailors grew so impatient at them, that (altho' they had no Arms in their Boats at all, yet God gave them such Courage and Resolution, as, in a Moment) they entered them, took hold of their Shrouds, and seized upon those Captains, altho' armed with their Pistols and Swords; struck their Yards and Topmasts, and brought them both to me. The like Courage and Resolution was never seen amongst unarmed Men, so as all was ended without Effusion of Blood; which I must attribute to the great God of Heaven and Earth only; who, in the Moment that I was ready to give Fire on them, put such Courage into our Men to act, and so saved much Blood.

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I hope the Parliament will think of some Course for all our Indemnities, and especially the Officers of the Navy, and principally for the Surveyor of the Navy, my Vice-Admiral, a very able and good Man: For myself, I doubt not but they that put me in this Employment will preserve me for serving them faithfully.

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I pray you, Sir, be a Means to Sir Robert Pye and Mr. Green, that some Money may be sent us, (for it hath been often promised, but we hear not of it) the Weather continuing stormy so long together, that we spend our Masts and Topmasts, or some Detriment or other falls upon us daily; so that we are in great Extremity for want of Money.

Thus, having nothing else to trouble you for the presens, only that you will be pleased to acquaint your House of Commons with our Proceedings here, I bid you farewell; and rest

From on board his Majesty's Ship the *James*,
in the Downs, July 4,
1642.

Your assured Friend,

to serve you,

WARWICK.

A Letter of Thanks was ordered to the Earl, and the Officers and Seamen of his Fleet.

Advice of the
King's intending
to besiege Hull.

July 6. Mr. Marten reported, from the Committee appointed to consider of the Defence of the Kingdom, That Col. *Wilmot*, Sir *Hugh Pollard*, and Sir *John Berkley*, were landed with fourteen Pieces of Brass Ordnance, and are making Fortifications near *Hull*: That the Lord *Willoughby* (e) and Sir *Thomas Glemham* are come with 200 Horse upon the *Humber-side*, in *Lincolnshire*: That the King came to *Beverley* on the 4th Instant, in the Morning, intending to sit down before *Hull* the next Day: That his Majesty had, by Proclamation, forbid any Provisions to be sent into that Town, on Pain of Death; and had cut off the fresh-water River that comes to *Hull*, and diverted the Stream another Way: But that (God be thank'd) Sir *John Hotham* had drown'd the Country two Miles round the Town, so that no near Approach could be made.

It

(e) Meaning Lord *Willoughby* of *Eresby*, eldest Son of the Earl of *Lindsey*, who was one of the Peers then with the King: The Lord *Willoughby* of *Parham* being, at that Time, the Parliament's Lord-Lieutenant of *Lincolnshire*.

It would be endless to take Notice of all the Orders of both Houses relating to their Raising, Training, and Forming their *Militia*, in different Counties, with the several *Instructions* given to the Lord Lieutenants, &c. about them; since both Houses constantly sat, Morning and Afternoon, for that Purpose: However there was no regular Army formed, nor any Orders given for drawing together any Number of Men for that Purpose, till this Day, when it was

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Resolved, by both Houses, 'That 10,000 Foot be raised, 5000 out of the Liberty of *London*, and 5000 out of the Counties adjacent: To form them into Regiments and Companies, and place Officers over them: To keep the Officers in continual Pay, and pay the common Soldiers every Day that they were trained.' Drums were likewise ordered to beat up for Soldiers, in and about the City, with all Expedition.

10,000 Foot voted to be raised.

The Earls of *Leicester* and *Portland* and the Lord *Spencer* only, dissented to this *Vote*.

Resolved, 'That all such Horses as are brought in, by the Lords and Commons and others, on the *Propositions*, shall be mustered in *Tothil-Fields*, on *Saturday* next: And that 500 Men shall be sent from hence, by Sea, to *Hull*.' The same Lords dissenting to this *Vote*.

Some Ships of War, and 2000 Men to be sent to Hull.

This last *Order* was made at the Request of Sir *John Hotham*; who, in his last Letter, before-mentioned, said, *That he apprehended the great Ordnance, which was landed from the Ship Providence, was designed for the Siege of Hull*; and therefore desired such a Supply to maintain it. Some Ships of War were also ordered down to the *Humber*; and, in the Afternoon of this Day, 1500 Men more, were voted for the Service of *Hull*, to be sent by Sea, as soon as ever they could be got ready. The same three Lords still dissenting to this *Vote*.

But, at the same Time, it was also ordered, 'That a Committee of Lords should be appointed to draw up some *Propositions*, to be presented to the King,

And a Committee appointed to draw up Propositions for Peace.

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Concerning the laying aside of all Arms and Levies, and discharging of all Garrisons on both Sides; and for composing all Differences between King and Parliament.' The Lords appointed for this Committee were

Earl of <i>Leicester</i> ,	Lord <i>Grey de Werk</i> ,
Earl of <i>Bedford</i> ,	Lord <i>Hunsden</i> ,
Lord <i>Wharton</i> ,	Lord <i>North</i> ,
Lord <i>Spencer</i> ,	Lord <i>Fielding</i> .
Lord <i>Roberts</i> ,	

July 7. Notwithstanding this Shew of Peace; neither House lost any Time in preparing for War, this Day's *Journal* being full of their *Orders* for it.

The Lord *Cranbourne*, Member for *Hereford*, was appointed Lord Lieutenant of *Hertfordshire* and *Dorsetshire* instead of his Father, who had left the Parliament; and was with the King at *York*.

A Declaration of
the County of
Hereford voted
to be a scandalous
Libel.

July 8. Complaint was made to the House of Commons of a printed Pamphlet, intituled, *A Declaration or Resolution of the County of Hereford*; which is styled, in the *Journals*, one of the foulest and most scandalous Libels, that ever was raised or published against the Parliament. The House of Lords had this under their Consideration at the same Time, and, at a Conference held between both Houses on this Occasion, concurred in the same Opinion of it: Whereupon one Mr. *Dutton*, a Clergyman, for only commending it in a Stationer's Shop, was committed to the *Gatehouse*; two Persons concerned in distributing it, to *Newgate*; and the Printer ordered to be sent for as a Delinquent. Both Houses also concurred in desiring the Knights of the Shire for *Hereford* to send down to know who in that County will avow the same: And, if any do, that they shall be prosecuted to the utmost, for setting forth such an infamous Libel.

After so great a Bustle about this *Herefordshire Declaration*, the Reader, no doubt, would be glad to see a Copy of it; which is the more valuable,
in

in regard no Notice is taken of this Affair by any An. 18. Car. I.
of the cotemporary Writers. (f) 1642.

A DECLARATION, or RESOLUTION of the Count-
ty of Hereford.

July.

‘ **W** Hereas the Kingdom, for many Years
‘ past, hath groaned under Taxes of
‘ *Loans, Ship-Money*, and the like dismal Effects
‘ of an Arbitrary Government, and a high stretch’d
‘ Prerogative; for the Cure of which Distempers
‘ a Parliament was held to be the only good old Way
‘ of Physic, to cleanse the Body Politic from oppres-
‘ sing Crudities, which was heartily desir’d; but not,
‘ by over strong Purgations, to weaken it in the
‘ principal Part; changing it, to receive a Disposition
‘ to the like Distemper, or a Relapse into the same,
‘ or a worse Disease; which, instead of restoring
‘ it to its primitive Vigour and Health, must needs
‘ drive it to a fatal Period. Such is our Misery, such
‘ the just Judgment of God upon our Sins.

‘ This wholesome Physic hath not wrought in
‘ us that blessed Effect, as was either believed by
‘ some, or hoped for by all Men; but, as if God
‘ had answered our Importunity for a Parliament,
‘ as he did the old *Israelites* for a King in his An-
‘ ger, we drive on, with much more Haste than
‘ good Speed, to the other Extreme, which por-
‘ tends no less Symptoms of Ruin and Destruction
‘ than the former: So that, having maturely con-
‘ sidered what hath proved destructive to this or
‘ other Parliaments, we may the more easily avoid
‘ those Rocks upon which others have split them-
‘ selves, viz,

1. ‘ The Venting of particular Ends of Avarice
‘ and Ambition in the Public Cause.
2. ‘ Private Combinations and Chamber-Con-
‘ venticles, to resolve before-hand what shall be
‘ done in the House.
3. ‘ Hindring the Freedom of Speech, by Imprisonment of their Persons.

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4. ‘ De-

(f) From the Collections of the late *Thomas Selater Bacon, Esq;*
Member of Parliament for Cambridge.

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4. ' Denying Information by the humble Way
' of *Petitions* from the County, as that most ex-
' cellent orthodox *Petition* of our Brethren of
' *Kent*; and of rejecting Informations of Letters
' to our Knights and Burgesſes.

5. ' The ready Swallowing of Informations and
' jealous Rumours againſt his Maſteſty; the Styling
' them the Malignant Party and Enemies to the
' State, which were, truly and conſcionably, his
' only Friends.

6. ' The private, if not public, mutinous Rab-
' ble; which ill Spirit was ready, at all Times, to be
' raiſed by a Whisper from any of thoſe Worthy
' Members, emphatically ſo called, if not exclu-
' ſively; as if all Juſtice, Reformation, and Go-
' vernment, were only to be expected from them.

7. ' The new unheard-of State-Law and Logic,
' to ſtyle and believe That a Parliament which is
' divided in itſelf, and ſeſvered from the King the
' Head thereof.

' If they may be remedied, as we hope they are not
' paſt Cure, we ſhall rather deſire to change ſome
' of our Phyſicians than Phyſic; there being no
' better Way, nor more neceſſary, to preſerve the
' Health of the Common-wealth, than a well tem-
' per'd Parliament: Wherefore we, as faithful Sub-
' jects to his Maſteſty, and as free-born *Engliſhmen*,
' do join in an unanimous Reſolution to maintain,

1. ' *The Proteſtant Religion.*

2. ' *The King's juſt Power.*

3. ' *The Laws of the Land.*

4. ' *The Liberty of the Subject.*

' For the *firſt*, *The Proteſtant Religion*; we can-
' not but, with Grief of Heart, remember how it
' hath been aſſaulted in the Outworks and Skirts of
' it, the Liturgy and decent Ceremonies, eſtabliſhed
' by Law; yea, in the very Body of it, the thirty-
' nine Articles. In what a Danger this Church of
' *England* hath been to be overcome with *Brow-*
' *nism* and *Anabaptiſm*, let all the World judge.

' For the *ſecond*, *The juſt Power of the King*;
' God knows he hath been ſo far unable to defend
' that

that from Violence, as it was God's great Goodness, rather than his own Power, which secured, or rather preserved, his Person from Violence. What their Aim was, who, to please the vulgar Rabble, would uphold and not punish them for their Insolencies, as we fear and imagine for the present; so we cannot but, with Horror and Amazement, doubt the Consequence.

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Nor can we conceal our Joy of Heart, or Thanks to his Majesty's good Subjects of the County of York, for endeavouring to secure his Person with a Guard; being of much more Value than many Thousand of us, and putting him in a Posture of Defence; which some have ignorantly, or maliciously, interpreted, by suggesting it an Intention of War against his Parliament; whereas it is plain enough his Majesty's Desires are only to secure himself and Servants from such prodigious Tumults and Disorders as have indangered his sacred Person; nor can we blame him, considering Sir John Hotbom's Act at Hull, and Sir Henry Ludlow's Speech in Parliament. (g)

For the two last, *The Laws of the Land*, and *The Liberty of the Subject*, which must not be separated; how have they been violated by some of those who were chosen to be Conservators of them, by Imprisonment of Men's Persons, contrary to the *Petition of Right*; afflicting of the Clergy, contrary to *Magna Charta*; shuffling the Convocation into a Synod, or an Assembly or a Conventicle, without the Choice, Consent, or Election of the Clergy; as if they were neither the King's Subjects, nor God's Servants?

As we conceive ourselves obliged by the Law of God, the Law of the Land, by the Dictates of Nature and Reason, to maintain all these; so, by God's Grace assisting us, we hope we shall not be terrified or compelled to yield an active Obedience to any dis-joined Part of a Parliament, with-

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out

(g) See this Affair of Sir Henry Ludlow's in our Tenth Volume, p. 503.

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‘ out the Consent of the Whole, which we heartily
‘ desire may be united; or to any uncertain *Debates*,
‘ *Votes*, or *Ordinances*, that are not digested or set-
‘ tled into *Laws*; nay, which seems to contradict
‘ former *Laws*, and yet are tender’d to us with so
‘ much Earnestness, as some dare hardly deny them
‘ with Safety, or obey with Conscience.

‘ Nor shall we ever yield ourselves such Slaves,
‘ or so betray the Liberty purchased by our Fore-
‘ fathers Blood, and bequeathed unto us, as to suf-
‘ fer ourselves to be swayed by any Arbitrary Go-
‘ vernment whatsoever; or strive, with too much
‘ Contention of Spirit, to cast off the Yoak of one
‘ Tyranny to endure many worse.

‘ And seeing his Majesty is graciously pleased to
‘ maintain the true *Protestant Religion*; his own
‘ just Power; the *Laws of the Land*; the *Liberty of*
‘ the *Subjects*; and that these Waters of Reforma-
‘ tion, having been long stirred, we want only the
‘ Favour of his princely Majesty to let us in and
‘ heal us: So we do reciprocally declare, That we
‘ conceive ourselves bound to maintain him, in all
‘ the Premises, with our Lives and Fortunes.

The same Day the House of Commons, at a Con-
ference, delivered to the Lords an Impeachment
against *Henry Hastings*, Esq; second Son to the Earl
of *Huntingdon*, Sir *Richard Halford*, Bart. Sir *John*
Bale, Knt. and *John Pate*, Esq; for High Crimes and
Misdemeanors; in which Impeachment the Com-
mons desired the Lords to use all Expedition. A
Copy of which Articles were as follows:

Articles of Im-
peachment a-
gainst Mr. *Hast-*
ings and others,
for executing the
King’s Commis-
sion of Array.

‘ **W** Hereas, by Order and Command of the
‘ Lords and Commons in Parliament, for
‘ the Safety and Defence of the County of *Leicester*,
‘ the Magazine of the said County was delivered
‘ into the Hands of *Henry Earl of Stamford*; who,
‘ in *June 1642*, removed a great Part thereof to
‘ his Dwelling-House called *Broadgate*, in the said
‘ County, for the more Safety and Security there-
‘ of:

‘ And

And whereas, in the said Month of *June*, se- An. 18. Car. I.
veral *Warrants* issued out, by Order of both 1642.
Houses of Parliament; the one directed to the
Gentleman Usher of the House of Peers, his De-
puty or Deputies; the other, to the Serjeant at
Arms attending on this House, his Deputy or
Deputies, for the apprehending of the said *Henry*
Hastings, Sir *Richard Halford*, Sir *John Bale*, and
John Pate, for High Crimes and Misdemeanors
by them committed against the said Houses of
Parliament, to answer the same before the said
Houses:

July.

He the said *Henry Hastings*, Sir *Richard Hal-*
ford, Sir *John Bale*, and *John Pate*, well know-
ing the Premises; and the said Sir *Richard Hal-*
ford, Sir *John Bale*, and *John Pate*, being then,
and yet, Justices of the Peace of the said County,
in or about the twenty-second Day of the said
Month of *June*, wickedly and maliciously, with-
out Warrant of Law, did raise and draw out of the
several Counties of *Derby*, *Lincoln*, and *Leicester*,
Forces of Horse and Foot to the Number of 300
Persons, or thereabouts, some of them being Col-
liers, and other mean and desperate Persons, and
many of them *Papists*, and them unlawfully as-
sembled at *Loughborough* in the said County of *Lei-*
cester; where the said *Henry Hastings*, the Day
aforesaid, made Proclamation, *That if any Per-*
sons, affected to that Service, wanted Arms, and
would repair to the Town, they should be furnished
therewith. And they the said *Henry Hastings*,
Sir *Richard Halford*, Sir *John Bale*, and *John*
Pate, together with the said other Persons so as-
sembled, being armed with Swords and Pikes;
and with Pistols, Muskets, and Carbines, ready
charged with Powder and Bullets, and other Ha-
biliments of War, marched along in a warlike
Manner; with Drums beating, Colours flying,
and their Matches lighted, to the great Terror
and Affrightment of his Majesty's Subjects, divers
Miles within the said County of *Leicester*, to the
Town of *Leicester*, and so thro' the said Town,

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with great Noise and Shouting, to a certain Place near the said Town called *Horse-Fair Lease*; to the Intent to keep themselves from being arrested by the said Officers of both Houses of Parliament; and in case they should be so arrested, then to rescue themselves by Force: And to the Intent likewise to take away the said Magazine by Force and Arms, and to kill and destroy the said Earl of *Stamford*, he the said *Henry Hastings*, and some other of his said Accomplices, giving out *That they would fetch away the said Magazine with a Vengeance; and that they would have the said Earl's Life before they left; and would fire his House and have his Heart's Blood out*, with divers other such-like desperate Speeches.

And the said *Henry Hastings*, Sir *Richard Halford*, Sir *John Bale*, and *John Pate*, with the rest of their said Confederates, being so assembled at the said *Horse-Fair Lease*, *John Chambers* and *James Stamford*, being authorized thereunto by a Deputation under the Hand of the Officers aforesaid, together with *Archdale Palmer*, Esq; then High Sheriff of the said County of *Leicester*, and divers other Persons in their Aid and Assistance, repaired to the said Place to execute the said Warrants from both Houses of Parliament; and the said *Henry Hastings* well knowing thereof, did then tell the said *Chambers*, *That he knew he had Warrants from the Parliament as well for others as for himself*; whereupon the said *Chambers* produced the said Warrants, and read them openly in the Hearing of the said *Henry Hastings*, Sir *Richard Halford*, Sir *John Bale*, and *John Pate*, to yield Obedience to the said Warrants; which they refused to do; but, instead thereof, they, and other their said Adherents, did violently assault the said High Sheriff, *Chambers*, and *Stamford*, and rode upon them with their Horses; and one of the said Confederates, named Mr. *Walter Hastings*, with his Pistol charged, gave Fire upon the said *Chambers*; and some others of them drew out their Pistols, and presented their Muskets upon the

the said High Sheriff and *Chambers*, using other Force and Violence upon them, to the great Danger of their Lives: And the said *Henry Hastings*, Sir *Richard Holford*, Sir *John Bale*, and *John Pate*, by Force and Arms, and in a warlike Manner, at the Time and Place aforesaid, rescued themselves from the said Officers and High Sheriff, in Contempt of Justice, and to the high Affront and Scorn of the Parliament; and afterwards marched back again, in like warlike Manner, into the said Town of *Leicester*; all which Doings of the said *Henry Hastings*, Sir *Richard Holford*, Sir *John Bale*, and *John Pate*, were, and are, contrary to the Laws of this Realm, the Rights and Privileges of Parliament, tending to Sedition, and to the Danger and Effusion of much Blood:

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Wherefore the said Commons do, in the Name of themselves and of all the Commons of *England*, impeach the said *Henry Hastings*, Sir *Richard Holford*, Sir *John Bale*, and *John Pate*, of the said several High Crimes and Misdemeanors.

And the said Commons, by Protestation, saving to themselves now, and at all Times hereafter, the Liberty of exhibiting of any other Accusation or Impeachment against the said *Henry Hastings*, Sir *Richard Holford*, Sir *John Bale*, and *John Pate*, or any of them; and of replying to the Answers which they, or any of them, shall make; or of offering any Proofs of the Premises, or any of them; or of any other Accusation or Impeachment against them, or any of them, as the Case, according to the Course of Justice, shall require; do pray that the said *Henry Hastings*, Sir *Richard Holford*, Sir *John Bale*, and *John Pate*, and every of them, may be forthwith put to answer the Premises in Presence of the Commons; and that such Proceedings, Examinations, Trials, and Judgments may be upon them, and every of them, had and used, as shall be agreeable to Law and Justice.

Ordered, That the aforesaid Gentlemen should appear before the House, at a Time prefixed, to hear

An. 18. Car. 1. hear the Impeachment read, and to put in their
1643. Answers to it.

July.

This being the Day appointed for the Lord Mayor to make Answer to his Charge, he was called to the Bar, as a Delinquent, where he delivered in the following Answer :

The HUMBLE ANSWER of Sir RICHARD GURNEY, Knt. &c.

The Lord Mayor's
Answer to his
Impeachment.

THIS Defendant, saving to himself all Benefit of Exceptions to the Impeachment against him exhibited by the Honourable House of Commons, saith, That he, this Defendant, is not guilty of all or any of the Crimes and Misdemeanors, in and by the said Impeachment against him charged, in such Manner and Form as the same are by the said Impeachment charged.

R. GURNEY.

Commissions
granted for raising
Horse for the
King's Service.

The Lords appointed *Monday* the 11th to hear the Lord Mayor's Cause. They also received Intelligence, by a private Letter from *York*, That the King had granted out several Commissions; as, to the Earl of *Caernarvon*, to raise 500 Horse Volunteers; to the Lord Viscount *Grandison*, to raise 500 Horse; and to Sir *Philip Tyrwhit*, to raise 80 Horse.

July 9. A Letter from the Archbishop of *York* was read in *hæc Verba* :

My Most Noble Lords,

A Letter from
Abp Williams.

MY Duty, in all Humility and Lowliness, remembered unto your Lordships, I have received your Noble Lordships Orders of the twenty-second of June, but this Day, July the third, being the Lord's Day; and it is impossible I should, literally, comply with the Matter required in the same. I came from Huntingdonshire to York, from which I was not debarred by any Order from the Honourable House, by his Majesty's Command; and, by the same Command, I
am

am strictly required not to depart this County of York without his Majesty's special Leave, upon Pain of seizing of my Temporalities. Your Lordships Messenger can inform you he found me not at York, but here, at my own Country House, preaching to my People. I will wait upon his Majesty and humbly desire his Favour, that I may obey your Honourable Order in Act, as I already do in Preparatione Animi. In the mean Season, I do most earnestly intrat your Lordships Favour and Mercy towards me, if I trespass a little in the prescribed Time; and your Lordships shall never hear, from any true Relation, that, by any Miscarriage of mine, I shall otherwise comport myself than as becometh

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Your Lordship's most humble

Cawood, July 3,
1642.

and obedient Servant,

Orator, and Petitioner,

JO. EBORAC.

It does not appear that any Notice was taken of this Letter; so we conclude that the Archbishop's humble Request was complied with. But it shews to what a low Ebb the Prelacy was then reduced, when so lofty a Man as *Williams*, who had been Lord-Keeper many Years, could write in so submissive a Manner.

The Lords next proceeded in reading several Letters, &c. from their Agents in divers Counties, and from the Earl of *Warwick*, concerning the State of the Fleet: That House also agreed to several Propositions, from the Commons, to be presented to the Citizens in Common Council, for raising 10,000 Volunteers with all Speed, &c. and regulating the Proportion of Pay for Horse and Foot in their Service. The first of these Propositions, for raising 10,000 Volunteers, was put to the Question in the Commons, and carried affirmatively by a Majority of 125 against 45. Mr. *Holles* and Sir *John Evelyn* Tellers for the Yeas, Sir *John Strangeways* and Mr. *Selden* for the Noes.

The Parliament
resolve to raise
10,000 Volun-
teers in London.

July

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1642.

July.

A further Im-
peachment a-
gainst the Lord
Mayor.

July 11. At a Conference this Day the Commons exhibited, to the Lords, a further Impeachment against the Lord Mayor; which, being afterwards read to him at the Bar, he desired more Time might be given him to answer by Counsel. And being ask'd, Why he refused, at the last Common Council, to put the Question for fflowing the Magazine that came from *Hull*, in the City; according to *Order* of both Houses of Parliament, but protested against it? The Lord Mayor answered, He thought not fit to lay so much Powder in the City, being dangerous; there being much there already, and more they cannot find Room for. Afterwards he withdrew, and then it was *resolved*, 'That the Lord Mayor of *London*, for his Contempt to this House, shall be committed to the *Tower*; and that the Lieutenant there shall take Care to keep him in safe Custody, as he will answer it at his Peril.' A further Day was ordered for his Trial, and the same Counsel to attend him in the *Tower* as before.

A Declaration of Parliament was this Day agreed on by both Houses, to be sent down into the *North*; which, as it contains the Parliamentary History, in Opposition to the Royal, of these Times, cannot be omitted.

The Parliament's
Narrative of the
Proceedings of
the King's evil
Counsellors.

IT cannot be unknown to the World, how powerful and active the wicked Counsellors about his Majesty have been, both before and since this Parliament, in seeking to destroy and extinguish the true *Protestant* Religion, Liberty, and Laws of the Kingdom; and that, after many traiterous Endeavours against the Parliament, by God's Providence discovered and frustrated, they drew his Majesty into the *Northern* Parts; and, in his Name, did publish divers false Scandals and ignominious Reproaches against the Lords and Commons; making his Majesty's Court a Sanctuary for all kind of Delinquents against the Justice and Privilege of Parliament; and drawing to

York,

York, by Letters and other Means, divers Members of both Houses; and setting up there a counterfeit imaginary Visage of a great Council of the Peers, in Opposition to the Parliament; to the great Danger, not only of the Disturbance, but even of the Subversion, of the original Constitution and Frame of this Kingdom.

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And, that the Way to the great Change in Religion and Government intended might be made more easy and passable, many of those, who have shewed themselves faithful to the Cause of God and the Kingdom, either in Parliament or in the Country, are put out of the Commission of Peace and other public Employments. The Sheriff of *Leicester* (labouring to keep the Peace when Mr. *Henry Hastings* marched from *Loughborough* into *Leicester*, with about 200 Foot and 100 Horse, of which many were drawn out of *Derbyshire*, armed, in a warlike Manner, with Pistols, Pikes, and Muskets, their Drums-beating and Colours flying, intending to seize upon the Magazine of the County) was, for his good Service, put out of his Office; and Mr. *Hastings*, the Person who committed this Outrage, made Sheriff in his Place; divers great Lords, his Majesty's Servants, in Places of Nearness and Trust, Persons of high Honour, Merit, and Abilities, as the Earls of *Pembroke*, *Essex*, and *Holland*, and the Lord *Fielding*, displaced for no other Cause but discharging their Conscience in Parliament; besides divers Members of the House of Commons, one of which hath long served his Majesty in Places of Honour, and had always been in great Favour and Esteem till he faithfully discharged his Duty in Parliament: And, last of all, the Earl of *Northumberland* put from the Place of High Admiral; a Man so eminent in all Qualifications of Honour and Sufficiency, so necessary for the State at this Time, when so many Ships are at the Sea, and the Kingdom in so much Trouble and Distraction, that there can hardly be named a more mischievous Effect of wicked Counsel, or

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dangerous Preparatives to future Confusions, than the bereaving the State of the Service of so noble and virtuous a Person as he is.

The Consideration whereof enforceth both Houses to declare, That they cannot think the Kingdom in Safety, nor themselves to have discharged the Trust that lies upon them, till they have done their uttermost, by all fit Ways, to procure that Office to be restored; whereby the Command of the Ships, which are the Walls of the Kingdom, may again be settled in the Charge of that Noble Lord.

In the Midst of these unjust and destructive Courses, to blind the Eyes of the Multitude, and disguise their malicious and cruel Intentions under the Semblance of Peace and Justice, they have drawn his Majesty to make divers solemn Protestations, with fearful Imprecations upon himself, and Invocations of God's holy Name, *That he intendeth nothing but the Welfare of his People; the Maintenance of Religion and the Laws of the Kingdom; and, for his own Security, only to raise a Guard for his Person: And that he did, from his Soul, abhor the Thought of making War against the Parliament, or to put the Kingdom into a Combustion:* But having, under this Colour, kept about him divers Soldiers and Officers, and gathered some Strength, the Intentions do now appear with a more open Face, by these his Majesty's ensuing Actions and Proceedings; which the Lords and Commons have thought good to publish, that all the Subjects of the Kingdom may understand what Dangers and Miseries are coming upon them, if not timely prevented.

A Garrison of Soldiers is, by his Majesty's Order, put into *Newcastle*, under the Command of the Earl of *Newcastle*; who should have formerly seized upon *Hull*, if, by the Wisdom of the Parliament, he had not been prevented.

The *Papists* in *Cheshire* have lately in a very peremptory Manner, and in his Majesty's Name, demanded their Arms, taken from them by Direc-
tion

tion of both Houses of Parliament, to be again restored to them. An. 18. Car. I. 1642.

The Earl Rivers, lately a notorious profess'd Papist, and still suspected to be a Papist, altho' he now comes to Church, as many other dangerous Papists do, on Purpose, as is conceived, to make themselves capable of Employment, is put into the Commission of Array, being against Law and the Liberty of the Subject; which he hath executed with Rigour, and hath committed divers Persons to Prison for refusing to submit thereunto, contrary to Law and the *Petition of Right*.

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The Mouth of the River Tyne is fortified, whereby the whole Trade of *Newcastle* for Coal, or otherwise, will be subject to be interrupted whensoever his Majesty shall please; and the City of *London*, and many other Parts of the Kingdom, exceedingly burdened and distressed.

A Ship laden with Canon for Battery, and other lesser Ordnance, Powder, and Ammunition is come into the River *Humber*, which also hath brought divers Commanders from foreign Parts; and in this Ship, we are credibly informed, were Mr. *Henry Wilmot*, Sir *John Berkley*, and Sir *Hugh Pollard*, three of those who stand charged in Parliament for being privy to the Design of bringing up the Army; and, amongst others, the Lord *Digby*, a Person accused in Parliament of High Treason; who, when he began to be questioned, fled out of the Kingdom; and advised his Majesty, by Letters, to that Course which he hath since pursued, of Withdrawing himself from his Parliament to a Place of Strength: And that then he intended to come to him, and in the mean Time would do him Service abroad.

Divers other large Preparations of warlike Provisions are made beyond the Seas, and shortly expected; besides great Numbers of Gentlemen, Horses, and Arms drawn from all Parts of the Kingdom; and all the Gentlemen in *Yorkshire* required to bring in their Horses for his Majesty's Service; sundry Commissions are granted for raising

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‘sing Horfes, and divers Officers of the Army are
‘already appointed. Upon *Monday* Morning, the
‘4th of *July*, his Majesty came to *Beverley* with an
‘Army of a confiderable Number of Horfe and
‘Foot, fome Regiments of the Trained Bands be-
‘ing likewise commanded to be raifed. Amongft
‘the Soldiers in this Army there are divers *Papiſts*,
‘and other Persons of desperate Fortune and Con-
‘dition, ready to execute Violence, Rapine, and
‘Oppreffion.

‘Some Troops of Horfe are ſent into *Lincolnſhire*,
‘to the great Terror of the well-affected People ;
‘who are thereby forced either to forſake their
‘Dwellings or to keep them with armed Men :
‘They begin already to take away Men’s Horfes by
‘Force, and commit other Acts of Hoſtility ; and
‘have uncivilly uſed the Gentlemen ſent from the
‘Parliament with a Letter to his Majesty. Pro-
‘viſions are reſtrained from coming to *Hull*, and
‘his Majesty is ſhortly expected to come thither
‘with his Army ; notwithstanding the Place is in
‘the Cuſtody of the Parliament, as hath been often
‘declared to his Majesty by both Houſes, and kept
‘by them for his Service and the Peace of the King-
‘dom, whereof as ſoon as they are aſſured, they
‘intend to leave the Town in the State it was.

‘The War being thus begun by his Majesty, the
‘Lords and Commons in Parliament hold them-
‘ſelves bound in Conſcience to raiſe Forces for the
‘Preservation of the Peace of the Kingdom, and
‘Protection of the Subjects in their Persons and
‘Eſtates according to Law, the Defence and Secu-
‘rity of Parliament, and of all thoſe who have been
‘employed by them in any Public Service for theſe
‘Ends ; and, through God’s Bleſſing, to diſappoint
‘the Deſigns and Expectations of thoſe who have
‘drawn his Majesty to theſe Courses and Counſels,
‘in Favour of the *Papiſts* at home, the Rebels in
‘*Ireland*, and the foreign Enemies of our Religion
‘and Peace.

‘In the Oppoſing of all which they deſire the
‘Concurrence of the well-diſpoſed Subjects of this
‘King-

‘ Kingdom ; and shall manifest, by their Courses
 ‘ and Endeavours, that they are carried by no Re-
 ‘ spects but of the Public Good, which they will
 ‘ always prefer before their own Lives and Fortunes;
 ‘ and shall ever be most earnest, in their Counsels
 ‘ and Endeavours, to prevent a Civil War, and those
 ‘ miserable Effects it must needs produce, if they may
 ‘ be avoided, without endangering the Alteration of
 ‘ Religion ; which is the main End of those who
 ‘ have been the Authors and Counsellors of his Ma-
 ‘ jesty’s undertaking this War, and will necessarily
 ‘ draw with it a Loss of Liberty, and Subversion of
 ‘ the Law of the Kingdom ; so that it rests only
 ‘ that the free-born *English* Nation do consider whe-
 ‘ ther they will adhere to the King and his Parlia-
 ‘ ment, by which they have so long enjoyed all that
 ‘ is dear unto them ; or to the King, seduced by
 ‘ *Jesuitical* Counsel and Cavaliers, who have design-
 ‘ ed all to Slavery and Confusion ; which, by God’s
 ‘ Blessing and our joint Endeavours, may be time-
 ‘ ly prevented.’

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Another *Declaration* came out at the same Time, Their Declara-
 to assure the Owners and Inhabitants of Lands near *Hull*, that they should be fully satisfied by
 both Houses, for the Damages sustain’d by Sir *John*
Hotham’s necessary letting in some Tides from
 the *Humber*, for securing that Town: And also
 Protection and full Recompence for all necessary
 Provisions, sent in by Land or Sea, for the Use
 thereof. Some more *Orders* about settling the *Mi-*
litia concluded the Business of this Day.

July 12. A third *Declaration* was this Day agreed
 to by both Houses, of an extraordinary Nature, in
 these Words:

‘ THE Lords and Commons declare, That it is
 ‘ against the Laws and Liberties of the King-
 ‘ dom, that any of the Subjects thereof should be
 ‘ compelled by the King to attend him at his Pleasure,
 ‘ but

And against the
 King’s compel-
 ling the Atten-
 dance of his Sub-
 jects.

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but such as are bound thereto by special Service :
' And if any Messenger or Officer shall, by Colour
' of any Command from his Majesty, or Warrant
' under his Majesty's Hand, arrest, take, or carry
' away any of his Majesty's Subjects, to any Place
' whatsoever, contrary to their Wills, that it is both
' against the Laws of the Land, the Liberty of the
' Subject, and tends to the Disturbance of the Public
' Peace of this Kingdom ; and any Subjects, so ar-
' rested, may lawfully refuse to obey such Arrests
' and Commands.'

Some Ships of
War sent to Hull.

Orders were agreed to be sent to the Earl of
Warwick to carry down some of the Ships, under
his Command, into the *Humber*, for the better De-
fence of the Town of *Hull*; the Parliament hav-
ing Information that the King intended to besiege
that Place.

Order against the
University of Ox-
ford's Loan to
the King.

Another *Order* was also made, to prevent the
University of *Oxford*, from carrying their Plate, &c.
away to maintain a War against the Parliament.
This *Order* was occasioned by the Heads of several
Colleges having raised a very considerable Loan for
the King, for which his Majesty had sent them a
Letter of Thanks.

Mr. *Holles* brought up a Message from the Com-
mons, with some *Votes* ; which, he said, had passed
their House with much Joy ; and in which they
doubted not of the Lords Concurrence with the
same Chearfulness. The *Votes* were these :

The Parliament
resolve to raise an
Army, and also to
petition the King
for an Accom-
modation.

Resolved, ' That an Army shall be forthwith
raised for the Safety of the King's Person, the De-
fence of both Houses of Parliament, and of those
who have obeyed their Orders and Commands ;
and for the Preservation of the true Religion, the
Laws, Liberties, and Peace of the Kingdom.'

Resolved, ' That the Earl of *Essex* be named
General thereof.'

Resolved, ' That a *Petition* shall be forthwith
prepared, to move the King to a good Accord with
the Parliament, and to prevent a Civil War.'

Re-

Resolved, 'That this House doth declare, That, in An. 13. Car. 1. this Cause, for the Safety of the King's Person, and the Defence of both Houses of Parliament, and of those who have obeyed their Orders and Commands, &c. they will live and die with the Earl of *Essex*, whom they have nominated General in this Cause.'

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Next, a Draught of the *Petition* to the King, for Peace, was read; in which the Lords agreed with the House of Commons, as also in all the foregoing *Votes*: And the Earl of *Holland*, Sir *John Holland*, and Sir *Philip Stapylton*, were appointed to carry the *Petition* to his Majesty at *York*.

Then the Speaker of the House of Lords acquainted the Earl of *Essex*, That that House had agreed in the Desires of the Commons, and had approved of his Lordship to be General. Hereupon the Earl gave their Lordships Thanks; professing his Integrity and Loyalty to the King to be as much as any; and that he would live and die with their Lordships in this Cause.

Lord *Clarendon* observes upon these *Votes*, 'That the Motion for a *Petition* to the King for an Accommodation was purposely then consented to, that the People might believe the Talk of an Army and a General was only to draw the King to the more reasonable Concessions: And that it was certain the first was consented to by many, especially of the House of Peers, (in Hopes the better to compass the other) with the perfect Horror of the Thought of a War.' (b)

This Mr. *Holles* himself, the Messenger appointed by the Commons to carry up these *Votes* to the Lords, as before-mentioned, confirms in his *Memoirs* (i), wherein he says, 'The Members of Parliament, who, at this Time, appealed to the Sword to plead their Cause and decide their Quarrel, declared themselves to desire nothing but the Settle-

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(b) *History of the Rebellion*, Vol. II. p. 683.

(i) The *Memoirs* of Denzil Lord *Holles*, Baron of *Isfield* in *Sussex* (so created An. 13. Car. 11.) from the Year 1641. to 1648. Printed in 1699, Octavo.

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ment of the Kingdom, in the Honour and Greatness of the King, and in the Happiness and Safety of the People: And, whensoever that could be obtained, to lay down the Sword, and submit again to the King's Sceptre of Peace more willingly than ever they resisted his Force and Power. This, I am sure, was the ultimate End of many, I may say of the chiefest of those who at that Time appeared; upon which Principle they first moved, and from which they never departed:—But, whilst these Men acted in the Simplicity of their Hearts, there was another Generation of Men, which, like the frozen Snake that lay in their Bosoms, seemed to desire but the same Things with them, and that the same should have contented them, when it was nothing so; but they had further Designs, to destroy and cut off not a few, to make the Land an *Aeldama*, ruin the King and as many of the Nobility and Gentry as they could, alter the Government, have no Order in the Church, nor Power in the State over them.'—Thus far Mr. *Holles*.

July 13. A Letter from the King, directed to the Speaker of the House of Lords, was read, importing a Command to communicate the inclosed Message to both Houses.

His MAJESTY'S MESSAGE to both Houses of Parliament.

The King's Message concerning his going to Hull.

BY our former *Declarations*, and this our *Proclamation*, which we herewith send you, you, and all our good Subjects, may see the just Grounds of our present Journey towards our Town of *Hull*. Before we shall use Force to reduce that Place to its due Obedience, we have thought fit, once more, to require you, that it may be forthwith delivered up to us, the Business being of that Nature that it can admit of no Delay; wherein if you shall conform yourselves, we shall then be willing to admit such *Addresses* from you, and return such *Propositions* to you, as may be proper to settle the Peace of this Kingdom.

dom, and compose the present Distractions. Do
your Duty herein, and be assured from us, on the
Word of a King, that nothing shall be wanting
on our Part, that may prevent the Calamities
which threaten this Nation, and may render our
People truly happy. If this our gracious Invi-
tation shall be declined, God and all good Men
judge betwixt us. We shall expect to receive
Satisfaction herein by your *Answer*, to be presented
to us at *Beverley* upon *Friday* next, being the 15th
Day of this present *July*.

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By the KING,

A PROCLAMATION declaring our Purpose to go, in
our Royal Person, to HULL; and the true Occa-
sion and End thereof. (k)

WE having long complained of the high Af-
front done unto us, in our own Person, by
Sir *John Hotham*, when we went to our Town
of *Hull* to view our Magazines and Arms, our
own proper Goods (if we shall be allowed to call
any Thing our own) which then were there; and
since, by and under Colour of *Orders* made by
both our Houses of Parliament, not only without,
but against, our Consent, violently taken and
carried from thence; and for that the Town it-
self, being the principal Fort and Port of these
Northern Parts of this Kingdom, in a warlike
Manner, with many hundreds of Soldiers, hath
been kept and maintained against us as a Garrison
and Town of War, as against an Enemy; and
that by the Practice of a Malignant Party, which
hath too great an Influence upon our two Hou-
ses of Parliament, instead of repairing our Ho-
nour for this Indignity, several *Orders* and *Votes*
of the Major Part, then present, have been made
to justify all this as Legal; which *Orders* and *Votes*
would have us, and others, to believe, upon the
many *Protestations* in Print, That there hath been
nothing done therein, (as in many other Things of

And his Procla-
mation, setting
forth the Reasons
thereof.

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that

(k) This Proclamation is not entered at all in the *Journals*; and
only the Preamble to the King's *Message*.

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that Nature) but for the Safety of our Person, the Honour of our Crown, and the Good of the Kingdom; as if Words, directly contrary to these Actions of Hostility, could satisfy us, or any reasonable Man, not blinded with Self-opinion, or abused and misled by vain and false Surmises, or groundless Jealousies: We have now looked somewhat more narrowly into the Manner of Sir *John Hotham's* Carriage in this his Employment, and did find, by the certain Relation of others, That for the Fortifying of the Place against us, his Liege Lord, he hath used the Help of Art in making Out-works to defend the Town; he hath purposely cut the Banks, and let in the Waters to drown the Land Passages, and to make the Town inaccessible by that Way; he hath set forth a Pinnacle (amongst other good Services) to intercept a Pinnacle of ours employed for carrying of Letters, Messages, and Passengers between us and our dearest Comfort the Queen; he permitteth his Soldiers to issue out of the Town and forage upon the Country; he hath not only unlawfully, but tyrannically, cast out divers Inhabitants of the Town from their Dwellings, because he could not confide in them; he hath disarmed all the Townsmen, that he might put the sole Power in the Soldiery under his Command; he doth compel some others of the Inhabitants, desirous to depart the Town with their Families, to abide and continue there against their Wills; and, by drowning of the Lands about the Town, in Manner as aforesaid, he hath destroyed the Pastures, Meadows, and Corn-Lands within that Compass, containing some thousands of Acres of very fruitful Grounds, amounting to a great Value, to the great Impoverishing of the Owners and Occupiers thereof; he hath, for divers Months, continued in Pay many hundreds of Soldiers; and endeavoured, under Pretence of Authority from the two Houses of Parliament, to increase their Number from the County of *Lincoln* adjoining, and from other Places; and this at the Public Charge of the Kingdom,

and

and out of those Monies provided for the Relief of the Miseries of *Ireland*, and Payment of the great Debt to our Kingdom of *Scotland*.

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Whereupon we being very sensible of this extreme Dishonour to us, That a Town of such Importance, and so near to the Place of our present Residence, should be thus fortified, kept, and maintained against us; that the Port and Passage by Sea should be defended against us by our own Ships, under the Conduct of the Earl of *Warwick*, who being legally discharged by us of his Employment at Sea, by our Revocation of the Commission formerly granted by us to the Earl of *Northumberland*, and by our Command signified unto him, under our own Hand, to deliver the Command of our Ships into the Hands of another Person named by us, hath, notwithstanding our said Commands, (to which the Earl of *Northumberland* paid a dutiful Obedience) presumed not only to dispossess us of our said Navy, but to employ it against us; and to take Prisoners such of our Captains as expressed a Loyalty to us, according to their Oaths and the Duty of Subjects; and that a Ship of ours, lately employed for our particular Service into *Holland*, and returning from thence with some of our proper Goods, hath been chased by them as an Enemy; and enforced, for her Safety, to put into a small Creek within six Miles of that Town, and there to run on Ground, to the great Hazard of our said Vessel; and that both our Ship and Goods were yet remaining there, in Danger to be surprized by our own Subjects; We took a Journey on *Wednesday*, the 6th of this Month, from *York* towards the said Creek, to take a View of our said Ship and Goods, thus exposed to Danger; having just Cause to fear that Sir *John Hotham*, and others of his Confederacy, would (for our Good, and the Good of the Kingdom) make Prize of these also; and, by the Opportunity of that Journey, we ourself are now fully informed of the Certainty of those Things, which we had before received but from

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the Relation of others; and there received a lamentable *Petition* of our Subjects of those Parts, complaining of the unheard-of Insolence and Barbarism of Sir *John Hotham*, and desiring our just and necessary Protection of them from those cruel Oppressions.

Upon all which Considerations, that we may at length, after this long Patience, do that Right to our Honour, our Crown and Royal Dignity, and to our good Subjects in general, and those of and near to our Town of *Hull* in particular, (which we had Reason to have expected from our two Houses of Parliament, but have failed of the Fruit of our long Expectation, by the Malice of some ill-affected Spirits amongst them, who study nothing more than, by false Pretences, to amuse and abuse our good People;) we have taken this Resolution, by God's Blessing, and the Assistance of our good Subjects, to force Sir *John Hotham*, and all that shall take Part with him in the unjust and treasonable Defence of the Town of *Hull* against us, to that Obedience which is due by Subjects to their Liege Lord and Sovereign; and to resist the Assistance, intended to Sir *John Hotham*, from our said County of *Lincoln* and other Places adjoining, if they shall attempt it: And, to this Purpose, we will and require all our loving Subjects to yield their best Assistance, of what Kind soever, to so necessary a Defence of our Person, and just Vindication of so great an Injury offered unto us, to the Dishonour of this Nation. And we do declare, That whosoever shall give us their chearful Help at this Time, and to this Purpose, either with Men, Horse, Arms, or Money, to be brought, sent, or conveyed unto us, we shall look upon it as a Service never to be forgotten.

And this we publish to all our Subjects, and to all the World, that they may truly understand the Clearing of our Intentions herein, as we shall do in all other Things concerning our Government; and that we do and ever shall maintain
those

‘ those Resolutions we have professed so often, An. 13. Car. 1. 1642.
 ‘ and so seriously, by our former *Declarations*, That
 ‘ we will continue to defend the true *Protestant*
 ‘ Religion, as it is by Law established, in the
 ‘ Church of *England*; the Laws of the Land; the
 ‘ Rights and just Liberties of our Subjects equally
 ‘ to and with our own just Prerogative, and the
 ‘ true Privileges of Parliament; and never infringe
 ‘ any Act consented to by us this Parliament; and
 ‘ that we have not, nor ever had, the least Thought
 ‘ of making War upon our two Houses of Parlia-
 ‘ ment, as hath been slanderously and maliciously
 ‘ published. And these Things, not our Words
 ‘ only, but all our Actions shall make good: And
 ‘ in this Resolution, and the just Observation there-
 ‘ of, we shall both live and die.’

July.

*Given at our Court at Beverley, the eighth Day of
 July, in the eighteenth Year of our Reign, 1642.*

July 13. Both Houses having been at some
 Trouble to get any Alderman of *London* to act for
 the Lord Mayor during his Imprisonment, several
 of them having absolutely refused it, as not consist-
 ent with their Oath to the City: It was this Day
ordered, That the Lord Mayor be commanded to
 depute some Person to be *Locum-tenens*, for the
 Government of the City of *London*, and calling of
 Common Councils.

July 14. Sir *John Conyers*, Lieutenant of the
Tower, who was ordered to deliver the foregoing
 Message, acquainted the Lords, that the Lord
 Mayor said, He had no Power to appoint a Deputy
 for the Government of the City, during his Ab-
 sence. Hereupon the Lords *ordered*, That Sir
George Whitmore, Knt. and Alderman, in the Ab-
 sence of the Lord Mayor, do cause a Court of Al-
 dermen to be summoned, to meet at *Guildhall* the
 next Day; and they, so summoned, are strictly
 enjoined to appear accordingly; then to make
 Choice of a *Locum-tenens*, or to consider of what
 other

Further Proceed-
 ings in the Lord
 Mayor's Trial.

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other Way will be according to the Custom and Charters of the City, for the Safety and good Government thereof; and to give Account of their Proceedings therein to the said Lords in Parliament, on the 16th of this Instant *July*.

Order of Parliament against publishing the King's last Declaration.

Many Magistrates and Clergymen, in Town and Country, were, about this Time, taken up and committed, by Order of the House of Commons, for reading, in their respective Corporations and Parish-Churches, the King's last *Declaration*, published by his special Command.

Both Houses concurred in an Order to the Messengers appointed to present their last *Petition*, for Peace, to the King, to acquaint his Majesty, That, since the framing and preparing of that *Petition*, they have received from him a *Message*, concerning the Delivering up of *Hull*; to which they conceive that *Petition* gives a full *Answer*, and therefore had resolved not to return any other:— But Mr. *Rushworth* informs us, 'That, lest the King should think it a Dilatoriness in the Parliament to return an *Answer*, the two Houses sent him, Post, to *Beverly*; to acquaint his Majesty, that the Earl of *Holland*, Sir *John Holland*, and Sir *Philip Stapylton*, were coming down with a *Petition* of both Houses, in *Answer* to his Majesty's said *Message*.'

The same Day the Earl of *Bedford* was appointed General of Horse, by the Concurrence of both Houses, and approved on by the Earl of *Essex*; who, also, expressed his Loyalty to the King, and his Readiness in the Service, being, as he said, for the Good and Welfare of the King and Kingdom; and, what he wanted in Experience he would make up in his hearty Affections to the Service.

July 15. A Commission for constituting the Earl of *Essex* Captain-General, &c. was read and agreed to by the Lords; which, though of a considerable Length, yet, since it is not in *Rushworth* or any other

other of the Cotemporaries, and is very expresse An. 18. Car. I.
in Form and Manner, we give, in its own Words, 1642.
from the *Lords Journals*.

July.

‘ **W** Hereas, upon serious Consideration of the
‘ present and imminent Dangers of Force The Parliament’s
‘ and Violence, which, at this Time, threaten the Commission to
‘ Parliament and the whole Kingdom, through the the Earl of Essex
‘ cunning Practise of *Papists*, and malicious Coun- to be Captain-
‘ sels of divers ill-affected Persons, inciting his Ma- General of their
‘ jesty to raise Men, make great Provisions for Army.
‘ War, and place Garrisons in Towns and other
‘ Places of Importance within this Kingdom; and,
‘ by Terror of Arms, to compel his Subjects to sub-
‘ mit to a Commission of *Array*, contrary to Law;
‘ whereby God’s true Religion and the Liberty of
‘ the Kingdom are like to be suppressed, and the
‘ whole Frame of the antient and well-tempered
‘ Government of this Realm to be dissolved and
‘ destroyed, and the *English* Nation intrahled, in
‘ their Persons and Estates, to an arbitrary Power:
‘ The Lords and Commons in this present Parlia-
‘ ment assembled, according to the Duty and Trust
‘ which lies upon them for Prevention of these
‘ great Mischiefs, and Preservation of the Safety of
‘ his Majesty’s Person, the Peace of the Kingdom,
‘ and Defence of the Parliament, *resolved* and *or-*
‘ *dained*, That an Army be forthwith raised; and
‘ that the Trained Bands, and other Forces of
‘ the Kingdom, be put into a Posture and Condi-
‘ tion fit to oppose any Force and Insurrection by
‘ *Papists*, or ill-affected Persons, against the Public
‘ Peace and Laws of the Kingdom, however coun-
‘ tenanced by any pretended Commission or Au-
‘ thority from his Majesty; and finding it most ne-
‘ cessary that some Persons of Honour, Wisdom,
‘ and Fidelity should be appointed to command the
‘ said Army and Forces; and having had long Ex-
‘ perience and certain Knowledge that *Robert* Earl
‘ of *Essex* is, every Way, qualified for a Trust of so
‘ high a Nature and Concernment, in regard of the
‘ Nobility of his Birth, his great Judgment in Mar-
‘ tial

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' tial Affairs, approved Integrity and Sufficiency
 ' in divers Honourable Employments and Com-
 ' mands in the said Public Service of this State; and
 ' in whom his Majesty reposed such Confidence,
 ' that, when he went into *Scotland* the last Summer,
 ' he left him General of all the *South Parts* of the
 ' Kingdom; and especially in regard of his Faith-
 ' fulness and good Affections to the Liberty, Peace,
 ' and Prosperity of the Kingdom, in this present
 ' Parliament abundantly manifested; and of the
 ' great Honour and Confidence among the well-
 ' affected People of the Kingdom, which he hath
 ' hereby gained: The said Lords and Commons do
 ' *Constitute* and *Ordain* him, the said *Robert Earl of*
 ' *Essex*, to be the Captain-General and Chief Com-
 ' mander of the Army appointed to be raised, and
 ' of all other Forces of the Kingdom, for the Ends
 ' and Purposes aforementioned; and that he the
 ' said Earl shall have and enjoy all Power, Titles,
 ' Preheminence, Authority, Jurisdiction, and Li-
 ' berties, incident and belonging to the said Office of
 ' Captain-General, throughout the whole King-
 ' dom of *England* and Dominion of *Wales*, in as
 ' large and ample a Manner as any other General
 ' of an Army in this Kingdom hath lawfully used,
 ' exercised, and enjoyed; to have, hold, and exe-
 ' cute the Office of Captain-General, in such Man-
 ' ner, and according to such Instructions, as he shall,
 ' from Time to Time, receive from both Houses
 ' of Parliament.

' And do further *Grant* and *Ordain*, That the
 ' said Earl shall have Power to raise and levy Forces,
 ' as well Men at Arms, as other Horsemen and
 ' Footmen of all Kinds, and meet for the Wars, in
 ' all Counties, Cities, Boroughs, Towns Corporate,
 ' and other Places of this Kingdom and Dominion
 ' of *Wales*, as well within Liberties as without;
 ' and them to conduct and lead against all and sin-
 ' gular Enemies, Rebels, Traitors, and other like
 ' Offenders, and every of their Adherents; and
 ' with them to fight, and them to invade, resist,

' re-

‘ repress, subdue, pursue, slay, and kill; to put in
 ‘ Execution all and singular other Things for the
 ‘ levying and governing of the said Forces, preserv-
 ‘ ing the Safety of his Majesty’s Person, Defence
 ‘ of the Parliament, and the Conservation of this
 ‘ Realm and the Subjects thereof in Peace, from
 ‘ all unlawful Violence, Oppression or Force,
 ‘ howsoever countenanced by any pretended Com-
 ‘ mission or Authority from his Majesty, or other-
 ‘ wise; and shall have Power to assign and appoint a
 ‘ Lieutenant-General under him, the said Earl, in
 ‘ his Stead to do and execute all and every the Powers
 ‘ and Authority granted to him, the said Earl; also
 ‘ to appoint a Lieutenant General of the Troops of
 ‘ Horse and all such Commanders and Officers as
 ‘ shall be necessary and requisite for the Government
 ‘ and Command of the said Army; and likewise one
 ‘ Provost-Martial for the Execution of his Com-
 ‘ mands, according to this *Ordinance*.

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‘ And for the better Execution of the Premises,
 ‘ it is *ordered* and *ordained*, That the said Earl shall
 ‘ have Power to command all Forts and Castles,
 ‘ already fortified or to be fortified; and to remove,
 ‘ displace, or continue the Captains, Lieutenants,
 ‘ and Soldiers: As likewise all Ships, Barks, and
 ‘ Vessels, which he, the said Earl, shall think meet,
 ‘ from Time to Time, for the Use and Service of
 ‘ the said Army and Forces, under his Government
 ‘ and Command; likewise to give Rules, Instruc-
 ‘ tions, and Directions, for the Governing, Lead-
 ‘ ing, and Conducting the said Army; and for the
 ‘ Punishing of all Mutinies, Tumults, Rapines, and
 ‘ other Crimes and Misdemeanors of any Person
 ‘ whatsoever in the same, according to the Course
 ‘ and Custom of the Wars, and Law of the Land;
 ‘ and the same Rules and Instructions to cause to be
 ‘ proclaim’d, perform’d, and executed; straitly char-
 ‘ ging and requiring both the said Lieutenant-
 ‘ Generals, Provost-Martial, and all other Officers
 ‘ and Soldiers of the said Army; as likewise all
 ‘ Lieutenants of Counties, Sheriffs, Deputy-Lieu-
 ‘ tenants, Officers of the Ordnance, Commanders
 ‘ of

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of Forts, Justices of Peace, Mayors, Bailiffs, and
other his Majesty's Officers and Subjects whatsoever, to be aiding and assisting, and obedient to
him, the said Earl, in the Execution of the said
Office of Captain General, for the Ends and Pur-
poses, and in the Manner aforesaid.

And do likewise *ordain* and *declare*, That the
said Earl, the Commanders and Officers of the
said Army, and all his Majesty's Officers and Sub-
jects whatsoever, in the Execution of the Premises,
shall be saved Harmless, and defended by the
Power and Authority of both Houses of Parlia-
ment.

Upon putting the Question, Whether the Lords
should agree to the *Ordinance* for this Commission?
the Earl of *Portland* was the only Peer then in the
House that dissented. But these *Votes*, for a speedy
Armament, &c. were not carried in the House of
Commons without very great Debate. Mr. *Whit-
locke* has given us a Speech of his own against
them. There is likewise another of Sir *Benjamin
Rudyard's*, on the same Occasion, yet preserved:
Both which serve to shew, that some Men had the
Courage to speak their Minds freely against these
Military *Votes*. And first Mr *Whitlocke*.

Mr. Speaker,

Mr. Whitlocke's
Speech against a
Civil War.

THE Question which was last propounded,
about raising Forces, naming a General
and Officers of an Army, hath been very rare, be-
fore this Time, in this Assembly; and it seems to
me to set us at the Pit's Brink, ready to plunge our-
selves into an Ocean of Troubles and Miseries; and,
if that could be, into more than a Civil War brings
with it.

Give me Leave, Sir, to consider this unhappy
Subject, in the Beginning, Progress, and Issue of it.

Cæsar tells us, and he knew as much of Civil
War as any Man before him, that it cannot be be-
gun *sine malis Artibus*.

Surely

' Surely, Sir, our Enemies of the *Papish* Church have left no evil Arts unessay'd to bring us to our present Posture, and will yet leave none unattempted to make our Breaches wider; well knowing that nothing will more advance their Empire than our Divisions.

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' Our Misery, whom they account Hereticks, is their Joy, our Distractions will be their Glory, and all evil Arts and Ways to bring Calamities upon us, they will esteem meritorious.

' But, Sir, I look upon another Beginning of our Civil War. God blessed us with a long and flourishing Peace, and we turned his Grace into Wantonness, and Peace would not satisfy us without Luxury, nor our Plenty without Debauchery; instead of Sobriety and Thankfulness for our Mercies, we provoked the Giver of them by our Sins and Wickedness, to punish us, as we may fear, by a Civil War, to make us Executioners of Divine Vengeance upon ourselves.

' It is strange to note how we have insensibly slid into this Beginning of a Civil War, by one unexpected Accident after another, as Waves of the Sea, which hath brought us thus far, and we scarce know how; but, from Paper Combats, by *Declarations, Remonstrances, Protestations, Votes, Messages, Answers, and Replies*, we are now come to the Question of raising Forces, and naming a General and Officers of an Army.

' But what, Sir, may be the Progress hereof, the Poet tells you:

*Jusq; datum Sceleri canimus, Populumq; potentem
In sua Victrici conversum Viscera Dextra.*

' We must surrender up our Laws, Liberties, Properties, and Lives, into the Hands of insolent Mercenaries, whose Rage and Violence will command us and all we have. Reason, Honour, and Justice will leave our Land; the Ignoble will rule the Noble; Baseness will be preferred before Virtue, and Profaneness before Piety.

' Of

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‘Of a potent People we shall make ourselves weak, and be the Instruments of our own Ruin; *Perditio tua ex te* will be said to us: We shall burn our own Houses, lay waste our own Fields, pillage our own Goods, open our own Veins, and eat our own Bowels.

‘You will hear other Sounds besides those of Drums and Trumpets; the Clattering of Armour, the Roaring of Guns, the Groans of wounded and dying Men, the Shrieks of deflowred Women, the Cries of Widows and Orphans; and all on your Account, which makes it the more to be lamented.

‘Pardon, Sir, the Warmth of my Expression on this Argument; it is to prevent a Flame which I see kindled in the Midst of us, that may consume us to Ashes. The Sum of the Progress of Civil War, is the Rage of Fire and Sword; and, which is worse, of brutish Men.

‘What the Issue of it will be, no Man alive can tell: Probably few of us now here may live to see the End of it. It hath been said, That he that draws his Sword against his Prince, must throw away the Scabbard. Those Differences are scarce to be reconciled. These Commotions are like the deep Seas, which, being once stirred, are not soon appeased.

‘I wish the Observation of the Duke *de Rohan*, in his *Interest of Christendom*, may prove a Caution, not a Prophecy; he saith of *England*, That it is a great Creature, which cannot be destroyed but by its own Hand: And there is not a more likely Hand than that of Civil War to do it.

‘The Issue of all War is like a Cast at Dice, none can tell upon what Square the *Alea Belli* will light; the best Issue that can be expected of a Civil War, is, *ubi Victor flet, & Victus perit*. Which of these will be our Portion is uncertain, and the Choice should be avoided.

‘Yet, Sir, when I have said this, I am not for a tame Resignation of our Religion, Lives, and Liberties into the Hands of our Adversaries, who seek to devour us; nor do I think it inconsistent with
your

your great Wisdom, to prepare for a just and necessary Defence of them.

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‘It was truly observed by a Noble Gentleman, That, if our Enemies find us provided to resist their Attempts upon us, it will be the likeliest Way to bring them to an Accord with us: And, upon this Ground, I am for the Question.

‘But I humbly move you to consider, Whether it be not yet too soon to come to it? We have tried by Proposals of Peace to his Majesty, and they have been rejected: Let us try yet again, and appoint a Committee who may review our former Propositions.

‘And where they find the Matter of them (as our Affairs now are) fit to be altered, that they present the Alterations to the House, and their Opinions; and that, as far as may stand with the Security of us and our Cause, we may yield our Endeavours to prevent the Miseries which look black upon us, and to settle a good Accommodation; so that there may be no Strife between us and those of the other Party, for we are Brethren.’

Sir BENJAMIN RUDYARD's on the same Occasion. (1)

Mr. Speaker,

‘IN the Way we are, we have gone as far as Words can carry us: We have voted our own Rights and the King's Duty. No Doubt there is a relative Duty between King and Subjects, Obedience from a Subject to a King, Protection from a King to his People. The present unhappy Distance between his Majesty and the Parliament, makes the whole Kingdom stand amazed, in a fearful Expectation of dismal Calamities to fall upon it. It deeply and conscionably concerns this House, to compose and settle these threatening ruining Distractions.

Sir Benjamin Rudyard's on the same Subject.

‘Mr.

(1) From the Original Edition printed at London, July 17, 1642, for R. Thrale. This Speech was so agreeable to the King, that it was reprinted at York, by Stephen Bulkley, and published there the Week following.

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‘ Mr. Speaker, I am touched, I am pierced, with an Apprehension of the Honour of the House, and Success of this Parliament. The best Way to give a Stop to these desperate imminent Mischiefs, is to make a fair Way for the King’s Return hither; it will likewise give best Satisfaction to the People, and will be our best Justification.

‘ Mr. Speaker, That we may the better consider the Condition we are now in, let us set ourselves three Years back. If any Man then could have credibly told us, that, within three Years, the Queen shall be gone out of *England* into the *Low-Countries*, for any Cause whatsoever; the King shall remove from his Parliament, from *London* to *York*, declaring himself not to be safe here; that there shall be a total Rebellion in *Ireland*; such Discords and Distempers both in Church and State here, as now we find! Certainly we should have trembled at the Thought of it; wherefore it is fit we should be sensible now we are in it. On the other Side; if any Man then could have credibly told us, that, within three Years, ye shall have a *Parliament*, it would have been good News; that *Ship-Money* shall be taken away by an Act of Parliament, the Reasons and Grounds of it so rooted out, as that neither it, nor any thing like it, can ever grow up again; that *Monopolies*, the *High Commission-Court*, the *Star-Chamber*, the *Bishops Votes*, shall be taken away; the *Council-Table* regulated and restrained; the *Forests* bounded and limited; that ye shall have a *Triennial Parliament*; nay more than that, a *perpetual Parliament*, which none shall have Power to dissolve without yourselves, we should have thought this a Dream of Happiness! Yet, now we are in the real Possession of it, we do not enjoy it, although his Majesty hath promised and published he will make all this good to us. We stand chiefly upon further Security; whereas the very Having of these Things is a convenient fair Security, mutually securing one another. There is more Security offered, even in this last Answer of the King’s, by removing the personal Votes of *Popish*

pish Lords, by the better Education of *Papists* Children, and by supplying the Defects of the Laws against Recusants; besides what else may be enlarged and improved by a select Committee of both Houses named for that Purpose. Wherefore, Sir, let us beware we do not contend for such a hazardous unsafe Security, as may endanger the Loss of what we have already. Let us not think we have nothing, because we have not all we desire; and though we had, yet we cannot make a Mathematical Security; all human Caution is susceptible of Corruption and Failing; God's Providence will not be bound, Success must be his: He that observes the Wind and Rain, shall neither sow nor reap; if he do nothing till he can secure the Weather, he will have but an ill Harvest.

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‘Mr. Speaker, it now behoves us to call up all the Wisdom we have about us, for we are at the very Brink of Combustion and Confusion: If Blood begins once to touch Blood, we shall presently fall into a certain Misery, and must attend an uncertain Success, God knows when, and God knows what. Every Man here is bound, in Conscience, to employ his uttermost Endeavours to prevent the Effusion of Blood: Blood is a crying Sin, it pollutes a Land; let us save our Liberties and our Estates, but so as we may save our Souls too. Now I have clearly delivered my own Conscience, I leave every Man freely to his.’

July 18. The Lords were employed in reading Letters from Sir *John Horham* and his Son at *Hull*, declaring the State of that Town; which, at this Time, seems to have been, in some Measure, besieged by the King's Forces, to the Number of 2500, Horse and Foot, lying before it; and some Destruction made of them, as the Letter-Writers said, by the Cannon of the Town. But still the Besieged had the River *Humber* open to them, where two Ships of the Navy lay, whose Captains are reported to have done such good Service, by intercepting of all Vessels, &c. coming from *Holland*.

The State of
Hull at this
Time.

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July 19. Several Parliamentary Indemnities were granted to divers Towns and Counties, for their raising and training of Volunteers, for the Service of King and Parliament, against the Commission of *Array*.

This being the Day appointed for hearing the Lord Mayor's Cause, he was brought to the Bar as a Delinquent, the Commons being present; where, kneeling till he was bid to rise, the Speaker asked him, if he had brought his Answer to the Commons additional Impeachment against him; which he delivered in, and it was read *in hæc Verba*:

The HUMBLE ANSWER of Sir RICHARD GURNEY, Knt. and Bart. Lord Mayor of the City of London, to a Second Impeachment exhibited against him to the Right Honourable the Lords in Parliament, by the Honourable the House of Commons.

The Lord Mayor's Answer to his second Impeachment.

THE Defendant, saying to himself all Benefit of Exception to the said Impeachment, as to all and every the wicked and malicious Advising, Countenancing, Persuasions, Solicitations, and Practices mentioned; and as to the illegal Imprisonment of *John Carter, William Gouch, and Richard Arnold*, or any other Apprentices within the City of *London*; as also to the Charge of Breach of his, this Defendant's, Oath, and Neglect of the Duty of his Place; and to all and every, or any other Offences, Practices, Contempts, and Misdemeanors, by the said Impeachment laid to this Defendant, he, this Defendant, saith, That he is not of them, or any of them, guilty in such Manner and Form as the same are in and by the said Impeachment charged.

JOHN HERNE,
CHALONER CHUTE.
Ex Assign. Dom. in Parl.
Or-

Ordered, That Friday next, the 22d Instant, be appointed to proceed in this Cause, and the Commons then to produce all the Proofs of their Impeachment.

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July 20. A Letter to the Speaker of the House of Lords, from the Earl of Holland, one of their Committee, sent down into the North, to deliver their last *Pétition* to the King, was read as follows:

My Lord,

OUR Admittance to his Majesty was very quick, The Earl of Holland's Account of
for that very Night we arrived here, after his Sup-
per, though he came home late from Lincoln, (m) he his presenting the
commanded us to attend him; where we found him Parliament's
accompanied by many Officers, but few Lords; for Petition to the
most of them were absent, they say here, to put in King, for Peace
Execution the Commission of Array, in those Shires
whither the King's Commission had directed them.

After we had read your Petition, his Majesty told us, It was a Business of great Importance, and required Time to advise of his Answer; yet then he remarked, with some Sharpness, on some Parts of the Petition, which I shall give my Lords an Account of in Person.

I believe we may be dispatched To day, or, at furthest, To-morrow; for his Majesty goes to Nottingham and Leicester, to call those Counties together, and to assure them to him; as, he believes, he has already done those where his Presence hath been.

His Forces appear not to be so great as they are; for it is said here, and I believe with some Truth, that he may, when he pleases, call a very considerable Number together, that are ready, upon the least Command, to move towards him: But this is de-

U 2

clined

(m) In the Interval between the King's issuing the foregoing Proclamation and the Delivery of the Parliament's Petition, his Majesty took a short Progress to Newark, to encourage the Nottinghamshire Men, who, by their Letter to their Representatives, seem'd much devoted to his Service; after a Day's Stay there he went to Lincoln to give some Life to his Friends in that County, where the Ordinance of Militia had been vigorously put in Execution by the Lord Willoughby of Parham, notwithstanding the King's Proclamation to the contrary.

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These Generals are only proper to be deliverd unto you at this present; when I attend you, which shall be with all the Diligence I may, my Lords shall have a very particular Account of the Knowledge and Duty of

Your Lordships

Beverley, July 18,
 1642.

most humble Servant,

HOLLAND.

Further Particulars of what passed upon that Occasion.

It is observable, that, in the foregoing Letter, the Earl of *Holland* only says in the general, 'That the King remarked with Sharpness on some Part of the *Petition*, the Particulars whereof he thought more proper to communicate to the House in Person.'—The following Narrative of what passed upon this Occasion, as drawn up by Lord *Clarendon*, who was then with the King at *York*, will therefore come very properly in this Place; and the more so, as none of these Particulars are mentioned by any other of the Cotemporary Historians.

'These Messengers for Peace reported to all whom they met, and with whom they conversed, 'That they had brought so absolute a Submission from the Parliament to the King, that there could be no Doubt of a firm and happy Peace.' And when the Earl of *Holland* presented the *Petition*, he first made a short Speech to the King, telling him, 'That the glorious Motto of his blessed Father, King *James*, was *Beati Pacifici*, which he hoped his Majesty would continue; that they presented him with the humble Duty of his two Houses of Parliament, who desired nothing from him but his Consent and Acceptance of Peace, they aiming at nothing but his Majesty's Honour and Happiness; and then read their Message aloud, in these Words:

To

To the KING's Most Excellent MAJESTY,

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The HUMBLE PETITION of the LORDS and
COMMONS assembled in Parliament.

July.

May it please your Majesty,

Although we, your Majesty's most humble and faithful Subjects, the Lords and Commons in Parliament assembled, have been very unhappy in many former Petitions and Supplications to your Majesty; wherein we have represented our most dutiful Affections, in advising and desiring those Things which we held most necessary for the Preservation of God's true Religion, your Majesty's Safety and Honour, and the Peace of the Kingdom; and, with much Sorrow, do perceive, that your Majesty, incensed by many false Calumnies and Slanders, doth continue to raise Forces against us and your other loyal and peaceable Subjects; to make great Preparations for War, both in this Kingdom and also from beyond the Seas; by Arms and Violence, to over-rule the Judgment and Advice of your Great Council; and, by Force, to determine the Questions there depending, concerning the Government and Liberty of the Kingdom; yet such is our earnest Desire of discharging our Duty to your Majesty and the Kingdom, to preserve the Peace thereof, and to prevent the Miseries of Civil War amongst your Subjects, that (notwithstanding we hold ourselves bound to use all the Means and Power, which, by the Laws and Constitutions of this Kingdom, we are trusted with, for Defence and Protection thereof, and of the Subjects, from Force and Violence) we do, in this our humble and loyal Petition, prostrate ourselves at your Majesty's Feet; beseeching your Majesty, that you will be pleased to forbear and remove all Preparations and Actions of War, particularly the Forces from about Hull, from Newcastle, Timmouth, Lincoln, and Lincolnshire, and all other Places; and that your Majesty will recall the Commissions of Array, which are illegal; dismiss the Troops and extraordinary Guards, by you raised; that your Majesty will come nearer to your Parliament, and hearken to their faithful Ad-

The Petition.

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vice and bumble Petitions, which shall only tend to the Defence and Advancement of Religion, your own Royal Honour and Safety, the Preservation of our Laws and Liberties: And we have been, and shall ever be, careful to prevent and punish all Tumults and seditious Actions, Speeches, and Writings, which may give your Majesty just Cause of Distaste or Apprehension of Danger; from which public Aims and Resolutions no sinister or private Respect shall ever make us to decline; that your Majesty will leave Delinquents to the due Course of Justice; and that nothing done or spoken in Parliament, or by any Person in pursuance of the Command and Direction of both Houses of Parliament, be questioned any where but in Parliament.

And we, for our Parts, shall be ready to lay down all those Preparations which we have been forced to make for our Defence. And for the Town of Hull, and the Ordinance concerning the Militia; as we have, in both these Particulars, only sought the Preservation of the Peace of the Kingdom, and the Defence of the Parliament from Force and Violence; so we shall most willingly leave the Town of Hull in the State it was before Sir John Hotham drew any Forces into it, delivering your Majesty's Magazine into the Tower of London, and supplying whatsoever hath been disposed of by us for the Service of the Kingdom. We shall be ready to settle the Militia by a Bill, in such a Way as shall be honourable and safe for your Majesty, most agreeable to the Duty of Parliament, and effectual for the Good of the Kingdom; that the Strength thereof be not employed against itself, and that which ought to be for our Security applied to our Destruction: And that the Parliament, and those who profess and desire still to preserve the Protestant Religion, both in this Realm and in Ireland, may not be left naked and indefensible to the mischievous Designs and cruel Attempts of those who are the profess'd and confederated Enemies thereof, in your Majesty's Dominions and other neighbouring Nations: To which if your Majesty's Courses and Counsels shall, from henceforth, concur, we doubt not but we shall quickly make it appear to the World, by the most eminent

ment Effects of Love and Duty, That your Majesty's personal Safety, your Royal Honour and Greatness, are much dearer to us than our own Lives and Fortunes; which we do most heartily dedicate, and shall most willingly employ for the Support and Maintenance thereof.

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As soon as this *Petition* was read by the Earl of Holland, the King told the Committee, 'The Reproaches, cast upon him by it, were not answerable to the Expressions his Lordship had made; and that he was sorry that they thought the Exposing him and his Honour to so much Scandal, was the Way to procure or preserve the Peace of the Kingdom; that they should speedily receive his Answer; by which the World would easily discern who desired Peace most.' And, accordingly, the second Day, his Majesty delivered them, in public, his Answer to their *Petition*; which was likewise read, by one of his Servants, in these Words:

His MAJESTY'S ANSWER to the PETITION of the LORDS and COMMONS assembled in Parliament.

THough his Majesty had no great Reason to believe, that the Directions sent to the Earl of Warwick to go to the River of Humber, with as many Ships as he should think fit, for all possible Assistance to Sir John Hotham, (whilst his Majesty expected the giving up of the Town unto him) and to carry away such Arms from thence as his Discretion thought fit to spare out of his Majesty's own Magazine: The chusing a General by both Houses of Parliament, for the Defence of those who have obeyed their Orders and Commands, be they never so extravagant and illegal: Their Declaration, That, in that Cause, they would live and die with the Earl of Essex their General, all which were voted the same Day with this *Petition*: And the committing the Lord Mayor of London to Prison for executing his Majesty's Writs and lawful Commands, were but ill Pro-

The King's Answer to the Parliament's Committee;

And to the *Petition*.

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Prologues to a *Petition* which might compose the miserable Distractions of the Kingdom: Yet his Majesty's passionate Desire of the Peace of the Kingdom, together with the Preface of the Presenters, *That they had brought a Petition full of Duty and Submission to his Majesty, and which desired nothing of him but his Consent to Peace,* (which his Majesty conceived to be the Language of both Houses too) begot a greedy Hope and Expectation in him, that this *Petition* would have been such an Introduction to Peace, that it would at least have satisfied his *Message* of the eleventh of this Month, by delivering up of *Hull* to his Majesty.

But, to his unspeakable Grief, his Majesty hath too much Cause to believe, that the End of some Persons by this *Petition* is not, in Truth, to give any real Satisfaction to his Majesty; but, by the specious Pretences of making Offers to him, to mislead and seduce his People, and lay some Imputation upon him of denying what is fit to be granted; otherwise it would not have thrown those unjust Reproaches and Scandals upon his Majesty, for making a necessary and just Defence for his own Safety; and so peremptorily justified such Actions against him, as, by no Rule of Law or Justice, can admit the least Colour of Defence; and, after so many free and unlimited Acts of Grace passed by his Majesty, without any Condition, have proposed such Things which, in Justice, cannot be denied unto him, upon such Conditions as, in Honour, he cannot grant.

However, that all the World may see how willing his Majesty would be to embrace any Overture that might beget a right Understanding between him and his two Houses of Parliament, (with whom he is sure he shall have no Contention, when the private Practices and subtle Insinuations of some few Malignant Persons shall be discovered; (which his Majesty will take Care shall be speedily done) he hath, with great Care, weighed

weighed the Particulars of this *Petition*, and re-
turns this *Answer*:

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That the Petitioners were never unhappy in
their *Petitions* or *Supplications* to his Majesty,
while they desired any Thing which was neces-
sary or convenient for the *Preservation of God's*
true Religion, his Majesty's Safety and Honour, and
the Peace of the Kingdom; and therefore, when
those general envious Foundations are laid, his
Majesty could with some particular Instances had
been applied. Let Envy and Malice object one
particular *Proposition* for the *Preservation of God's*
true Religion, which his Majesty hath refused to
consent to; what himself hath often made for the
Ease of tender Consciences, and for the Advance-
ment of the *Protestant Religion*, is notorious by
many of his *Messages* and *Declarations*: What Re-
gard hath been to his Honour and Safety, when
he hath been driven from some of his own Houses,
and kept out of his own Towns by Force: And
what Care there hath been of the *Peace of the*
Kingdom, when Endeavour hath been used to put
all his Subjects in Arms against him, is so evident,
that his Majesty is confident he cannot suffer by
those general Imputations: It is enough that the
World knows what he hath granted, and what he
hath denied.

For his Majesty's raising Forces, and making
Preparations for War, (whatsoever the Petitioners,
by the evil Arts of the Enemies to his Majesty's
Person and Government, and by the Calumnies
and Slanders raised against his Majesty by them,
are induced to believe) all Men may know what
is done that Way, is but in order to his own
Defence.

Let the Petitioners remember that (which all
the World knows) his Majesty was driven from
his Palace of *Whitehall*, for Safety of his Life:
That both Houses of Parliament, upon their own
Authority, raised a Guard to themselves (having
gotten the Command of all the Train'd Bands of
Lon-

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London to that Purpose) without the least Colour
 or Shadow of Danger: That they usurped a Power,
 by their pretended *Ordinance*, (against all Principles and Elements of Law) over the whole *Militia* of the Kingdom, without and against his Majesty's Consent: That they took Possession of his Town, Fort, and Magazine of *Hull*, and committed the same to Sir *John Hotham*, who shut the Gates against his Majesty; and, by Force of Arms, denied Entrance thither to his own Person: That they justified this Act, which they had not directed; and took Sir *John Hotham* into their Protection for whatsoever he had done, or should do, against his Majesty; and all this, whilst his Majesty had no other Attendance than his own menial Servants.

Upon this the Duty and Affection of this Country prompted his Subjects, here, to provide a small Guard for his own Person; which was no sooner done, but a *Vote* suddenly passed of his Majesty's Intention to levy War against his Parliament; which, God knows, his Heart abhorreth: And, notwithstanding all his Majesty's *Professions*, *Declarations*, and *Protestations* to the contrary, seconded by the clear *Testimony* of so great a Number of Peers upon the Place, *Propositions* and *Orders* for Levies of Men, Horse, and Arms, were sent throughout the Kingdom; Plate and Money brought in and received; Horse and Men raised towards an Army, mustered and under Command; and all this contrary to the Law and to his Majesty's *Proclamation*: And a *Declaration* published, That if he should use Force for the Recovery of *Hull*, or suppressing the pretended *Ordinance* for the *Militia*, it should be held levying War against the Parliament; and all this done before his Majesty granted any *Commission* for the levying or raising a Man: His Majesty's Ships were taken from him, and committed to the Custody of the Earl of *Warwick*; who presumes, under that Power, to usurp to himself the Sovereignty of the Sea, to chase

chafe, fright, and imprison such of his Majesty's
good Subjects as desire to obey his lawful Com-
mands; although he had Notice of the legal Re-
vocation of the Earl of *Northumberland's* Com-
mission of Admiral, whereby all Power derived
from that Commission ceased.

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Let all the World now judge who began this
War, and upon whose Account the Miseries which
may follow must be cast: What his Majesty could
have done less than he hath done, and whether he
were not compelled to make Provision both for
the Defence of himself, and Recovery of what is
so violently and injuriously taken from him: And
whether these Injuries and Indignities are not just
Grounds for his Majesty's Fears and Apprehensions
of farther Mischief and Danger to him.

Whence the Fears and Jealousies of the Peti-
tioners have proceeded hath never been discovered:
The Dangers they have brought upon his good
Subjects are too evident: What those are they
have prevented, no Man knows; and therefore
his Majesty cannot but look upon that Charge,
as the boldest and the most scandalous that hath
been yet laid upon him, *That this necessary Pro-
vision, made for his own Safety and Defence, is to
over-rule the Judgment and Advice of his great
Council; and, by Force, to determine the Questions
there depending concerning the Government and Li-
berty of the Kingdom.* If no other Force had been
raised to determine those Questions than by his
Majesty, this unhappy Misunderstanding had not
been. And his Majesty no longer desires the Blef-
sing and Protection of Almighty God upon him-
self and his Posterity, than he and they shall, so-
lemnly, observe the due Execution of the Laws,
in the Defence of Parliaments, and the just Free-
dom thereof.

For the Forces about Hull; his Majesty will re-
move them when he hath obtained the End for
which they were brought thither. When Hull
shall be reduced again to his Subjection, he will
no longer have an Army before it: And when he
shall

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shall be assured that the same Necessity and Pre-
tence of Public Good, which took *Hull* from him,
may not put a Garrison into *Newcastle*, to keep
the same against him, he will remove his from
thence, and from *Tinmouth*; till when, the Ex-
ample of *Hull* will not out of his Memory.

For the *Commissions of Array*, which are legal,
and are so proved by a *Declaration* now in the
Press; his Majesty wonders why they should, at
this Time, be thought grievous, and fit to be re-
called: If the Fears of Invasion and Rebellion be
so great, that, by an illegal pretended *Ordinance*, it
is necessary to put his Subjects into a Posture of
Defence, to array, train, and muster them, he
knows not why the same should not be done in a
regular, known, and lawful Way: But if, in the
Execution of that *Commission*, any Thing shall
be unlawfully imposed upon his Subjects, his Ma-
jesty will take all just and necessary Care for their
Redress.

For his Majesty's coming nearer to his Parliament;
his Majesty hath expressed himself so fully in his
several *Messages, Answers, and Declarations*; and
so particularly avowed a real Fear of his Safety,
upon such Instances as cannot be answered, that
he hath Reason to think himself somewhat neglect-
ed; that since, upon so manifest Reasons, it is
not safe for his Majesty to come to them, both his
Houses of Parliament will not come nearer to his
Majesty, or to such a Place where the Freedom
and Dignity of Parliament might be preserved.

However, his Majesty shall be very glad to hear
of some such Example in their punishing the Tu-
mults (which he knows not how to expect, when
they have declared, *That they knew not of any*
Tumults, though the House of Peers desired, both
for the Dignity and Freedom of Parliament, That
the House of Commons would join with them
in a *Declaration* against Tumults, which they re-
fused, that is, neglected to do) and other seditious
Actions, Speeches, and Writings, as may take
that Apprehension of Danger from him; though,
when

when he remembers the particular Complaints himself hath made of Busineses of that Nature, and that instead of inquiring out the Authors, Neglect of Examination hath been; when Offer hath been made to both Houses to produce the Authors, as in that treasonable Paper concerning the *Militia*; and when he sees every Day Pamphlets published against his Crown, and against Monarchy itself, (as the *Observations* upon his late *Messages*, *Declarations*, and *Expreses*) and some *Declarations* of their own, which give too great Encouragement in that Argument to ill-affected Persons; his Majesty cannot, with Confidence, entertain those Hopes which would be most welcome to him.

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For the leaving Delinquents to the due Course of Justice; his Majesty is most assured he hath been no Shelter to any such: If the Tedioufness and Delay in Prosecution, the vast Charge in Officers Fees, the keeping Men under a general Accusation without Trial a whole Year and more, and so allowing them no Way for their Defence and Vindication, have frightened Men away from so chargeable and uncertain an Attendance; the Remedy is best provided where the Disease grew. If the Law be the Measure of Delinquency, none such are within his Majesty's Protection: But if, by Delinquents, such are understood who are made so by *Vote*, without any Trespass upon any known or established Law: If, by Delinquents, the Nine Lords are understood, who are made Delinquents for obeying his Majesty's *Summons* to come to him, after their Stay there was neither safe nor honourable, by reason of the Tumults and other Violences; and whose Impeachment, he is confident, is the greatest Breach of Privilege, that, before this Parliament, was ever offered to the House of Peers: If, by Delinquents, such are understood who refuse to submit to the pretended *Ordinance* of the *Militia*, to that of the *Navy*, or to any other which his Majesty hath not consented to; such who, for the Peace of the Kingdom, in an humble Manner, prepare *Petitions* to him, or to both

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both Houses, as his good Subjects of *London* and *Kent* did; whilst seditious ones, as that of *Essex*, and other Places, are allowed and cherished: If, by Delinquents, such are understood, who are called so for publishing his *Proclamations*, as the Lord Mayor of *London*; or for reading his *Messages* and *Declarations*, as divers Ministers about *London* and elsewhere; when those against him are dispersed with all Care and Industry, to poison and corrupt the Loyalty and Affection of his People: If, by Delinquents, such are understood, who have or shall lend his Majesty Money, in the Universities, or in any other Places; his Majesty declares to all the World, That he will protect such with his utmost Power and Strength; and directs, That, in these Cases, they submit not to any Messengers or Warrants of Parliament; it being no less his Duty to protect those who are innocent, than to bring the Guilty to condign Punishment; of both which the Law is to be Judge.

And if both Houses do think fit to make a General, and to raise an Army for the Defence of those who obey their Orders and Commands; his Majesty must not sit still, and suffer such who submit to his just Power, and are solicitous for the Laws of the Land, to perish and be undone, because they are called Delinquents: And when they shall take upon them to dispence with the Attendance of those who are called by his Majesty's Writ, whilst they send them to Sea to rob his Majesty of his Ships; or into the several Counties, to put his Subjects in Arms against him, his Majesty (who only hath it) will not lose the Power to dispence with them to attend his own Person, or to execute such Offices as are necessary for the Preservation of himself and the Kingdom; but must protect them though they are called Delinquents.

For the Manner of the Proceeding against Delinquents; his Majesty will proceed against those who have no Privilege of Parliament, or in such Cases where no Privilege is to be allowed, as he shall

shall be advised by his learned Counsel, and according to the known and unquestionable Rules of the Law; it being unreasonable that he should be compelled to proceed against those who violated the known and undoubted Law, only before them who have directed such Violation.

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Having said thus much to the Particulars of the *Petition*, though his Majesty hath Reason to complain, That, since the sending this *Petition*, they have beaten their Drums for Soldiers against him; armed their own General with a Power destructive to the Law and Liberty of the Subjects, and chosen a General of their Horse: His Majesty, out of his Princely Love, Tenderness, and Compassion of his People, and Desire to preserve the Peace of the Kingdom, that the whole Force and Strength of it may be united for the Defence of itself, and the Relief of *Ireland*, (in whose Behalf he conjures both his Houses of Parliament, as they will answer the contrary to Almighty God, to his Majesty, to those that trust them, and to that bleeding miserable Kingdom, that they suffer not any Monies granted and collected by Act of Parliament, to be diverted or employed against his Majesty, whilst his Soldiers in that Kingdom are ready to mutiny, or perish, for want of Pay, and the barbarous Rebels prevail by that Encouragement) is graciously pleased, once more, to propose and require:

1st. That his Town of *Hull* be, immediately, delivered up to him; which being done (tho' his Majesty hath been provoked by unheard-of Insolences of Sir *John Hotham*, since his burning and drowning the Country, in seizing his Wine and other Provisions for his House; and scornfully using his Servants, whom he sent to require them, saying, *It came to him by Providence, and he will keep it*; and so refusing to deliver it, with Threats if he, or any other of his Fellow-Servants, should again repair to *Hull* about it; and in taking and detaining Prisoners divers Gentlemen, and others, in their Passage over the *Humber* into *Lincolnshire*,
about

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about their necessary Occasions; and such other Indignities, as all Gentlemen must resent in his Majesty's Behalf) his Majesty, to shew his earnest Desire of Peace, for which he will dispence with his own Honour; and how far he is from Desire of Revenge, will grant a free and general Pardon to all Persons within that Town.

2dly, That his Majesty's Magazine, taken from Hull, be forthwith put into such Hands as he shall appoint.

3dly, That his Navy be forthwith delivered in to such Hands as he hath directed for the Government thereof: The detaining thereof, after his Majesty's Directions published and received to the contrary, and employing his Ships against him, in such Manner as they are now used, being notorious High Treason in the Commanders of those Ships.

4thly, That all Arms, Levies, and Provisions for a War, made by the Consent of both Houses, (by whose Example his Majesty hath been forced to make some Preparations) be immediately laid down; and the pretended *Ordinance* for the *Militia*, and all Power of imposing Laws upon the Subject, without his Majesty's Consent, be disavowed; without which, the same Pretence will remain to produce the same Mischief; all which his Majesty may as lawfully demand, as to live; and can with no more Justice be denied him, than his Life may be taken from him.

These being done, and the Parliament adjourn'd to a safe and secure Place, his Majesty promises in the Presence of God, and binds himself by all his Confidence and Assurance in the Affection of his People, That he will instantly, and most cheerfully, lay down all the Force he shall have raised, and discharge all his future and intended Levies, that there may be a general Face of Peace over the whole Kingdom, and will repair to them; and desires that all Differences may be freely debated in a Parliamentary Way, whereby the Law may recover its due Reverence, the Subject his
just

‘ just Liberty, and Parliaments themselves their full
‘ Vigour and Estimation; and so the whole King-
‘ dom, a blessed Peace, Quiet, and Prosperity.

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‘ If these *Propositions* shall be rejected his Majesty
‘ doubts not of the Protection and Assistance of Al-
‘ mighty God, and the ready Concurrence of his
‘ good Subjects; who can have no Hope left them
‘ of enjoying their own long, if their King may
‘ be oppressed and spoiled, and must be remediless.
‘ And though his Towns, his Ships, his Arms, and
‘ his Money be gotten and taken from him, he
‘ hath a good Cause left, and the Hearts of his
‘ People; which, with God’s Blessing, he doubts
‘ not, will recover all the rest.

‘ *Lastly*, If the Preservation of the *Protestant*
‘ Religion, the Defence of the Liberty and Law
‘ of the Kingdom, the Dignity and Freedom of
‘ Parliament, and the Recovery and Relief of
‘ bleeding and miserable *Ireland*, be equally precious
‘ to the Petitioners, as they are to his Majesty, (who
‘ will have no Quarrel but in Defence of these)
‘ there will be a chearful and speedy Consent to
‘ what his Majesty hath now propounded and de-
‘ sired.

‘ And of this his Majesty expects a full and po-
‘ sitive *Answer* by *Wednesday* the 27th Day of *July*
‘ Instant; till when he will not make any Attempt
‘ of Force upon *Hull*, hoping in the Affection, Du-
‘ ty, and Loyalty of the Petitioners; and, in the
‘ mean Time, expects that no Supply of Men be
‘ put into *Hull*, or any of his Majesty’s Goods
‘ taken from thence.’

Lord *Clarendon* adds, ‘ That when his Majesty’s
Answer (which had before been consented to, and
approved in the full Assembly of the Peers and
Counsellors) was read publickly, it was generally
thought that the King had not enough resented the
Insolence and Usurpation of the Parliament, or ap-
peared sensible enough of the Provocation; yet the
Thought of a War, which wise Men saw actually
levied upon the King already, was so much abhor-

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The King advised to soften his Answer.

red, and Men were so credulous of every Expedient which was pretended for Peace, that, by the next Morning, (the *Answer* being delivered in the Evening) these active Messengers for the Parliament persuaded many, 'That the King's *Answer* was too sharp, and would provoke the Houses, who were naturally passionate, to proceed in the high Ways they were in; whereas, if the King would abate that Severity of Language, and would yet take off the Preamble of his *Answer*, they were confident, and the Earl of *Holland* privately offered to undertake, that Satisfaction should be given to all that his Majesty proposed.' And, by this Means, some were so far wrought upon, as they earnestly importuned the King, 'That he would take his *Answer*, which he had publickly delivered the Night before, from the Messengers; and, instead thereof, return only the Matter of his own *Propositions*, in the most soft and gentle Language, without the Preamble, or any Mention of the unjustifiable and unreasonable De-meanour of the Parliament towards him.' (n)

His Reasons for refusing to do so.

But his Majesty replied, 'That he had for a long Time, even after great Provocations, and their first general *Remonstrance* to the People, treated with all imaginable Compliance and Lenity of Words with them; and discovered their unjustifiable and extravagant Proceedings with and against him, and the Consequences that would inevitably

(n) The Noble Historian tells us, in another Place, 'That the Earl of *Holland*, having been nothing pleased with his own Condition at *London*, finding the Earl of *Essex* (whom he did not secretly love, and did indeed contemn) to draw all Men's Eyes towards him, and to have the greatest Interest in their Hearts, he had seriously intended, under Colour of this *Message* to the King, to discover if there were any Sparks yet left in his Royal-Breast, which might be kindled into Affection, or Acceptation of his Service; and hoped, if he could get any Credit, to redeem his former Trespasses: But when he not only found his Majesty cold towards him, but easily enough discerned, by his Reception, that all former Inclinations were dead, and more than ordinary Prejudices grown up towards him in their Places, and that his Advices were rejected, he returned with Rancour equal to the most furious he went to; and heartily joined and concurred towards the suppressing that Power, in the Administration whereof he was not like to bear any Part.' *Ibid.* p. 696.

'evitably attend their Progress in them, with such
 'tender Expressions as if he believed whatever was
 'amiss to proceed from Misinformation only, and
 'unskilful Mistakes: That this Gentleness and
 'Regard of his, was so far from operating upon
 'them, that their Insolence and Irregularities en-
 'creased; and it might be from that Reason that
 'their *Messages* and *Declarations* were writ in so high
 'a Dialect, and with that Sovereignty of Lan-
 'guage, as if he were subject to their Jurisdiction;
 'and did not know but it might have some Infl-
 'uence upon his People to his Disadvantage; that is,
 'raise Terror towards them, and lessen their Re-
 'verence towards his Majesty, when all their *Pe-*
 '*titions* and *Propositions* were more imperative than
 'his just and necessary Refusals: Which Conde-
 'scension his Majesty had brought himself to, in
 'hope that his Example, and their natural Shame,
 'would have reformed that new Licence of Words:
 'That this last *Address*, under the Name of a *Pe-*
 '*tition*, (a few Days after they had violently ra-
 'vished his whole Fleet from him, and prepared
 'the same Day that they had chosen a General, to
 'whom they had sworn Allegiance, to lead an
 'Army against him) contained a peremptory Justi-
 'fication of whatsoever they had done, and as pe-
 'remptory a Threatning of whatsoever they could
 'do; and therefore, (if he should now retract his
 '*Answer*, which had been solemnly considered in
 'Council before all the Peers, and which, in truth,
 'implied rather a Princely Resentment of the In-
 'dignities offered to him, than flow'd with any
 'sharp and bitter Expressions) he should, by such
 'Yielding, give Encouragement to new Attempts;
 'and could not but much discourage those upon
 'whose Affections and Loyalty he was principally
 'to depend, who could not think it safe to raise
 'themselves to an Indignation on his Behalf, when
 'he expressed so tender or so little Sense of his own
 'Sufferings: Besides, that he was then upon an
 'avowed hostile Enterprize for the Reduction of
 '*Hull*; towards which he was to use all possible

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Means to draw a Force together, equal to that Design; and by such a Retraction as this proposed, and a seeming Declension of his Spirit, and depending upon their good Natures who had done all this Mischief, he should not only be inevitably disappointed of the Resort of new Strength, but, probably, deserted by those few whom he had brought together: That he could not reasonably, or excusably, depend upon the Undertaking of the Earl of *Holland*, who had so grossly deceived him in other Undertakings, which were immediately in his own Power to have performed; whereas neither he, nor either of the other two Gentlemen who were joined with him in this Employment, had so much Interest with the active and prevailing Party, as to know more of their Intentions than was at present necessary to be discovered for their Concurrence.'

He said, 'That he had never yet consented to any one Particular since the Beginning of this Parliament, by which he had received Prejudice, at the Doing whereof he had not the solemn Undertakings and Promises of those who were much abler to justify their Undertakings than the Earl of *Holland*; and upon whom he only depended, that it should be no Disservice to him, and would be an infallible Means to compass all that his Majesty desired: But he had always found those Promisers and Undertakers, though they could eminently carry on any Counsel, or Conclusion, that was against Law, Justice, or his Right, had never Power to reduce, or restrain, those Agitations within any Bounds of Sobriety and Moderation: And when they found that many would not be guided by them, that they might seem still to lead, themselves as furiously followed the others, and resorted again to his Majesty with some new Expedient as destructive as the former: So that he was resolved to rely upon God Almighty, and not so much to depend upon what might possibly prevail upon the Affections of those from whom, reasonably, he could not expect any Good, as
' upon

upon such plain and avowed Courses, as, let the An. 18. Car. I.
 Success be what it would, must, to all judging 1642.
 Men, appear to be prudently and honourably re-
 lied on: And therefore he positively refused to
 make the least Alteration in his Answer.

But to return to the Parliament: —

The same Day (July 20) that the Lords received The Judges re-
 the foregoing Letter from the Earl of Holland, an quired to publish
 Order was made, and agreed to by both Houses, the Illegality of
 against the Commission of Array, which was to be the King's Com-
 mission of Array.
 published by the Judges, in their several Circuits, at
 the approaching Assizes. But it contains no more
 than a Declaration of the Illegality of that Com-
 mission; and an Inhibition to all Sorts of People
 from putting the same in Execution, under Pain of
 being esteemed Disturbers of the Peace, and Be-
 trayers of the Liberty of the Subject.

The Lords being all set in their Robes, and the
 House of Commons, with their Speaker, come up,
 he said, 'The Knights, Citizens and Burgesses of
 the House of Commons, having impeached Spencer
 Earl of Northampton, William Earl of Devonshire,
 Henry Earl of Dover, Henry Earl of Monmouth,
 Charles Lord Howard of Charlton, Robert Lord Rich,
 Charles Lord Grey of Ruthyn, Thomas Lord Coven-
 try, and Arthur Lord Capel, for High Crimes and Mis-
 demeanors, to the Interruption of the Proceedings
 of Parliament, and Disturbance of the Peace of the
 Kingdom, the House of Commons had commanded
 him to demand their Lordships Judgment thereup-
 on. Then the Lord Kimbolton, Speaker of the
 House of Lords for that Day, pronounced Sentence
 against the said Nine Lords, as follows: (o)

1. That they shall not sit, or vote, in the Lords The Sentence
 House during this present Parliament. pronounced upon
 the Nine im-
 peach'd Lords
 then at York.
2. That they shall not enjoy the Privileges of Par-
 liament as Members thereof.

X 3

3. That

(o) Ever since the Lord Keeper Littleton left the House of Lords,
 the Speaker's Place was filled by some one of the Peers present,

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3. *That they shall stand committed to the Tower during the Pleasure of this House.*

July 21. The Sheriffs of *London* acquainted the Lords, That divers *Proclamations* were sent to them to be proclaimed; and, the Lord Mayor being committed, they thought it their Duty to receive the Directions of the House therein, for they cannot proclaim them, because the Mace is with the Lord Mayor. The one was the King's *Proclamation*, declaring his Purpose to go in Person to *Hull*: The other against the Parliament's seizing the Magazines of the Counties. *Ordered*, That these *Proclamations* be left with the Clerk of Parliament; and that Thanks be given to the Sheriffs for bringing in those *Proclamations*; and they were commanded to do so for the future.

Further Proceedings against the Lord Mayor of London.

A Certificate from the Aldermen of *London*, concerning the Election of a *Locum-tenens*, in the Room of the Lord Mayor, was presented and read, importing, 'That they had met together according to the Direction, and on the Day prefix'd by the House; and that having call'd unto them the City Counsel, and others experienced in the Customs and Charters of the said City, and, after diligent Search of their Records, they did humbly certify, That it did not appear that ever, at any Time, the Aldermen had made Choice of a *Locum-tenens* to execute the Office of a Lord Mayor: But they found, That, in the Time of a Lord Mayor's Sickness, he being within the Franchise, there had been a *Locum-tenens* appointed by himself, the Sword still remaining with him; all which they humbly presented, &c.' Signed by fifteen Aldermen.

July 22. The Lord Mayor was brought again before the Lords; and a Committee of the Commons being come up, as Managers against him, Mr. Serjeant *Wylde* desired, in Behalf of the whole House of Commons, that the two Impeachments of him might be read; and, after reading the Lord Mayor's Answers to them, the Serjeant proceeded and said,
'That

‘ That this Lord Mayor was a Person great and eminent; and of great Power and Authority in his Place; that he was one of the greatest Offenders of all his Predecessors, and was a great Burden and Nufance to the Common-wealth: That he had practised and attempted those Arts which tended to the Undoing of the City, and therein the Kingdom. The Matter of Impeachment was so great, that it could not be raised higher. He knew there was a *Vote* in this House, declaring, That the Commission of *Array* was illegal and of dangerous Consequence, yet he commanded it to be, contemptuously and seditiously, proclaimed.

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‘ The Matter of the second Charge was, Endeavouring and countenancing a *Counter-Petition* against settling the *Ordinance* for the *Militia*, tho’ it was consented to by the Common Council and himself; yet he drew in others, ill-affected, to petition the King and both Houses against it, to set a Division between the King and his People.

‘ He, seeking to suppress an honest and good *Petition* for the *Militia*, got it into his Hands; and, on a *Sunday*, committed some Persons to Prison, and vilified them with reproachful Speeches, imprisoning others in his own House. That,

‘ When there were Riots in *Cheapside*, he refused to keep the Peace, and caused Persons to be beat there; and suffered those that called themselves *Defenders of the Cross*, to commit Tumults, without any Punishment.

‘ That he hath neglected the Statute of *Hen. IV.* concerning Riots, contrary to his Oath as Lord Mayor and a Justice of the Peace: That he kept the Examinations, in this Cause, himself, and would not publish them to those that desired it.

‘ And, *lastly*, he refused to call a Common Council in *London*, notwithstanding he was required to do it by *Order* of both Houses of *Parliament*.

Then the Serjeant proceeded to call two Witnesses, two of the Lord Mayor’s Officers, to prove he gave Orders to publish the *Proclamation* concerning the *Commission of Array*, after the *Votes* of *Parliament*

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liament were published, That the said *Commission* was illegal. And, as to the Matter of the said Impeachment, he said,

‘ That the Lord Mayor did give Directions for the Drawing and Framing of the *Petition* against the *Militia Ordinance*; which was after the same was given to the City, and accepted by them; which was to set Division between the King and Parliament. To prove this the Serjeant desired, That the Deposition of Mr. *Thomas Wiseman*, taken formerly before the Committee of both Houses, in Mr. *Benyon*’s Cause, might be made Use of; Affidavit being made, on Oath, That he had been served with an *Order* of this House, to appear this Day, but he was gone out of Town.’

On this Mr. *Herne*, Counsel for the Lord Mayor, objected against the Reading of the said Deposition, being taken in another Cause; and thereby they would lose the Benefit of Cross-Examination. The Committee of the Commons excepted against the Pleading of Counsel, at the Bar, to confront the said Committee, who did represent the whole House, without asking Leave. Upon which the Counsel desired their Lordships Directions how they should demean themselves. Both Sides being ordered to withdraw, whilst the Lords debated this Matter; and, being called in again, Mr. *Herne* was told, ‘ That the House took it not well that he should interrupt the Members of the House of Commons, without asking Leave of this House; and that he take Warning of it for the future.’

Then the Committee of Commons were told, ‘ That the Lords had deferred the further Hearing of this Cause till *Monday* next the 25th Instant; at which Time the Witness, Mr. *Wiseman*, was to be produced, *viva Voce*, else the Lords would proceed therein.’

July 23. Many were the Indemnities granted by Parliament, about this Time, to Counties, and some particular Cities, Towns, and Persons, for executing their *Ordinance of Militia* with Vigour, notwithstanding

withstanding the King's *Commission of Array*, and An. 18. Car. I. his positive Inhibitions to the contrary. And, 1642.

This Day a Copy of a *Letter* from the King to the Honourable *Henry Hastings*, Esq; High Sheriff of the County of *Leicester*, was read; wherein, after giving him Thanks for his faithful Endeavours to preserve his Majesty's Royal and Legal Authority, he enjoins him to use his Power in apprehending the Earl of *Stamford*; who, he said, by Force, and under Pretence of Authority, by the pretended *Ordinance* of the two Houses of Parliament, had surprized all, or Part, of the Magazine of Munition belonging to the County of *Leicester* and keeps the same by Force; which was actually levying War against his Majesty; and therefore he could not account him, and his Adherents, other than Traitors, &c.

The Earl of
Stamford declared a Traitor by
the King;

Next, a *Warrant* from the said High Sheriff, for But indemnified the Purposes above, was read; and then an Indem- by the Parlia- nification of the Earl of *Stamford*, and all such as ment. should be assisting to him, was agreed to by both Houses, and ordered to be printed and published.

This Day the Earl of *Holland* acquainted the Lords with the Execution of his Commission to the King at *Beverley*, with the last *Petition* of the Parliament, and his Majesty's *Answer*, as before-mentioned. His Lordship added, 'That the King gave him no Answer concerning the passing of some Bills, which he had delivered to him: That his Majesty had then 3000 Foot and 3000 Horse at his Command; but that a Squadron of the Earl of *Warwick's* Fleet being come into the *Humber*, had given the Townsmen much Heart; and that Sir *John Hotham* was very careful to preserve the Town.'

State of the
King's Forces at
this Time.

Hereupon it was ordered, 'That the Lord General should pursue his Levies, with all the Vigour and Speed he can, for the Safety of the King and Kingdom, and Defence of the Parliament.'

July 25. The Lord Mayor was this Day brought again to the Bar, the Committee of the Commons being

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Proceedings on
the second Im-
peachment a-
gainst the Lord
Mayor of Lon-
don.

being present ; when Serjeant *Wylde* proceeded upon the Article in the second Impeachment, concerning a *Petition* which the Lord Mayor had a Hand in contriving, against the *Ordinance* for the *Militia*. And another Affidavit was made, That Mr. *Wise-man* was not in Town, but supposed to be gone to *York* ; therefore it was desired that his Examination, formerly taken before a Committee, concerning this Cause might be read, because it was suspected he was sent away by the Lord Mayor. Then his Lordship was asked, What he had to say why this Examination should not be read ? he answered, He desired to be heard by his Counsel. The Lords then ordered, That this Evidence might be reserved, and the Committee to go on with the rest.

Then the Serjeant proceeded to another Article, for suppressing a *Petition* of the 'Prentices to both Houses, concerning the *Militia* ; and in keeping some Prisoners, in his own House, on a *Sunday*. For Proof of this *William Goff* deposed, ' That, on a *Sunday*, when he and eleven other 'Prentices were getting Hands to the *Petition*, a Citizen took it out of their Hands and carried it to the Lord Mayor ; who asked them What such Fellows as they should do with *Petitions* ? He would make them smart for it. They told him, They did nothing contrary to Law. He asked them, How they came to be so skillful in the Law ; gave them reviling Speeches ; committed them to Prison on a *Sunday*, and would not let them go to Church.'

John Carter and *Richard Arnold* deposed to the same Purpose.

The Lord Mayor's Counsel asking Leave to cross-examine these Witnesses, they were told, That when all the Evidence for the Commons was ended, the Witnesses should attend, and then they might ask them such Questions as they thought fit.

The Committee proceeded next to the fourth Article, concerning the Riot in *Cheapside* ; which the Lord Mayor refused to suppress, denied the Examinations taken in that Cause, and refused to bind over the Offenders to the Sessions ; which was an
Act

Act of Injustice. To prove the Riot, three Witnesses were called, who said, 'That, about Four in the Afternoon, on *Candlemas-Day* last, in *Cheapside*, an hundred People fell upon them, and beat and kicked them, and called them *Roundheads* and *Brownists*; they were but three of them in Company, and they gave them no Occasion: That the Constable would not assist them; and they going afterwards to the Lord Mayor, he took their Examinations, but would not get them taken up, nor bound over to the Sessions.' Other Witnesses deposed, 'That they went to the Lord Mayor, to desire him to take some Course to suppress Tumults; but, he said, he had no Power, but sent them to the Committee at *Guildhall*, who were forced to send some of the Train'd Bands.' Others said, 'That the Rioters threatened to pull down some of their Houses: That they marched with Arms, and would have made one Man kneel to the Cross; and when they complained to the Lord Mayor, he asked, Whether their Party was not strong enough? and said, the Authority over the Train'd Bands was taken from him; and bid them go to the Committee: That the Lord Mayor entertained the Offenders in his Cellar, and they were conveyed away by some of his Servants; and he laughed upon and countenanced them; and bid them stand for the Cross, and he would bear them out in it, &c.'

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After the Committee had gone through with their Witnesses, the Serjeant made a Recapitulation of the whole Evidence which had been delivered; and, afterwards, the Lords *ordered*, That all Witnesses, &c. should attend the next Morning at Nine, when their Lordships would proceed in this Cause. Accordingly,

July 26. The Committee of the Commons being come up, and the Lord Mayor brought to the Bar, Serjeant *Wylde* opened the fifth Article against him; which was for a Contempt, in not calling a Common Council in *London*, according to the *Order*

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Order of both Houses, for placing the Magazine, that came from *Hull*, in convenient Places in the City.

To prove which these Witnesses were examined :

Sir *Thomas Atkins*, Alderman, said, ' That an *Order* of both Houses came to the Committee for the *Militia*, to lay up the Arms, &c. and to that End a Common Council was to be called : That he and others repaired to the Lord Mayor, and shewed him the *Order* ; who said he would acquaint the Aldermen with it ; but no Common Council was called till ten Days after.' Alderman *Normington*, and one *Russel* deposed to the same Effect.

Next he proceeded to his Proofs, That the Mayor had a Hand in contriving a *Counter-Petition* against the *Ordinance* of Parliament, and procured Hands to it. The Witnesses for this were

Henry Davison, who said, ' That he received a Paper from my Lord Mayor, who bid him carry it to the Recorder ; which he accordingly did : That the Recorder liked it well, and afterwards he carried it to Mr. *Benyon* and Mr. *Gardner*.' The *Petition* being read, he confessed, ' He believed it the same ; and that he was entreated by some Gentlemen to write some Names, that were to be sent to for subscribing the *Petition* ; but he could not remember who gave him the Directions.

Richard Ferriby said, ' He had the Note of Names from one *Nevil* ; but knew not the Names in it, nor the Business ; Mr. *Benyon* was there when he read the Note.'

Robert Mitchel said, ' He knew nothing of the *Petition* which was to be presented to his Majesty : That there were Directions given to Mr. *Wiseman* for the Drawing of a *Petition* to both Houses : No Directions from the Lord Mayor, but by the Court of Aldermen.'

Capt. *Ven*, another Witness, said, ' That when he moved for the Settling the *Militia*, in the Common Council, he conceived that the Lord Mayor did decline it.'

The

The Evidence against the Prisoner being all gone through, the Serjeant, next, made a summary Recollection of the Proofs; and observed upon the several Actions of the Lord Mayor, according as they were in Time: As, first, the *Counter-Petition* against the *Ordinance* of the *Militia*, which was made by both Houses, upon such great Considerations and just Occasions, meerly for the Safety of the King and Kingdom; and, in particular, having an Eye to the Safety of the City of *London*; but nothing done in it without a Committee of theirs, which should consent, and did consent, to this *Ordinance*; only the Lord Mayor refused, because it was his Design to make a Division in the City: Therefore, he said, the sending of this *Petition* to divers to subscribe, shews that he did it with a malicious Intention.

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'The other Parts of the Charge, the Serjeant said, were these, the 'Prentices *Petition* to Parliament, which the Lord Mayor got into his own Hands, kept it, and gave them ill Language, and imprisoned them; the Matter of the Riot; the not calling a Common Council according to *Order* of Parliament; and, lastly, his Publishing the *Proclamation* for the *Commission* of *Array*, June 25, after the *Resolution* of both Houses, concerning the Illegality of it, was both printed and published.'

Ordered the hearing of the Lord Mayor's Counsel on *Thursday* the 28th Instant.

Several more particular Indemnities were ordered; and one general Indemnity for all those Persons that have or shall exercise or train themselves, as Volunteers, was read and approved of. Both Houses also agreed to appoint the Earl of *Pembroke* to be Lord Lieutenant of the Counties of *Brecon*, *Monmouth*, and *Glamorgan*, in the Room of the Lord *Philip Herbert*.

The same Day a *Replication* of the Lords and Commons assembled in Parliament, to his Majesty's
Answer

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An. 18. Car. 1. *Answer to their Petition*, sent by the Earl of Holland, was agreed to, as follows:

July.

The Parliament's
Replication to
the King's An-
swer to their Pe-
tition for Peace.

THE Lords and Commons in Parliament (having taken into their serious Consideration his Majesty's *Answer* to their humble *Petition* for Peace, delivered by the Earl of Holland, Sir Philip Stapylton, and Sir John Holland, and the Demands which he is thereupon pleased to make concerning the present Delivery of the Town of Hull, the Magazine, the Navy, disavowing the Ordinance of the Militia, the laying down of all Arms raised by Authority of the two Houses of Parliament, and adjourning themselves to some other Place) do beseech his Majesty to accept this their humble and just Excuse, That they cannot for the present, with the Discharge of the Trust reposed in them for the Safety of the King and Kingdom, yield to those Demands of his Majesty.

The Reason why they took into their Custody the Town of Hull, the Magazine and Navy; passed the Ordinance of the Militia, and made Preparation of Arms; was for the Security of Religion, the Safety of his Majesty's Person, of the Kingdom and Parliament, all which they did see in evident and imminent Danger; from which when they shall be secured, and that the Forces of the Kingdom shall not be used to the Destruction thereof; they shall then be ready to withdraw the Garrison out of Hull, to deliver the Magazine and Navy, and settle the Militia by Bill, in such a Way as shall be honourable and safe for his Majesty, most agreeable to the Duty of Parliament, and effectual for the Good of the Kingdom, as they have profess'd in their late *Petition*.

As for adjourning the Parliament; they apprehend no Reason for his Majesty to require it, nor Security for themselves to consent to it. And, as for that Reason which his Majesty is pleased to express, they doubt not but the usual Place will be

‘ as safe for his Royal Person as any other, consider-
 ‘ ing the full Assurance they have of the Loyalty
 ‘ and Fidelity of the City of *London* to his Majesty;
 ‘ and the Care which his Parliament will ever have
 ‘ to prevent any Danger, which his Majesty may
 ‘ justly apprehend; besides the manifold Conveni-
 ‘ ences to be had there, beyond any other Parts of
 ‘ the Kingdom.

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‘ As for the laying down of Arms; when the
 ‘ Causes which mov’d them to provide for the De-
 ‘ fence of his Majesty, the Kingdom, and Parlia-
 ‘ ment, shall be taken away, they shall very willing-
 ‘ ly and chearfully forbear any further Preparations,
 ‘ and lay down their Forces already raised.’

This *Replication* was sent to the King, then be-
 fore *Hull*; but with no Solemnity of Messengers,
 or any other Ceremony than being inclosed to one
 of the Secretaries of State. It was also ordered
 to be printed; and likewise forthwith published in
 all Churches and Chapels, together with the said
Petition and *Answer*.

There is in the Lords *Journals* of this Day, a Co-
 py of a very loyal and bold *Petition* from some of
 the Nobility, and many of the Knights and Gen-
 tlemen of the County of *York*; which is not in the
Collections of these Times, and which we give, as
 follows, from the former Authority:

To the Right Honourable the LORDS and COM-
 MONS assembled in Parliament,

The HUMBLE PETITION and REMONSTRANCE
 of the NOBILITY and GENTRY of the County
 of *York*,

Sheweth,

THAT this County is extremely perplexed by reason
 of the public Acts of Hostility committed by Sir
 John Hotham and the Garrison at Hull, to the great
 Disturbance of the Peace of this County, threatening
 Petition from the Nobility and Gentry of York-
 shire against Sir John Hotham.

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no less than the Ruin and Destruction of it. That the first putting a Garrison into that Town was pretended to be to defend it against the Papists at home, and the Invasion of foreign Enemies; since that Time the Gates have been shut against our Gracious Sovereign, and Entrance denied to his own Royal Person; several Persons have been thrown out of the Town, and expelled from their own Freeholds and personal Estates; some Part of the Country is drown'd by Sir John Hotham, to the utter Ruin of many Families; Sallies have been made by armed Men, who have burnt and plundered Houses, and murdered their Fellow-Subjects, when we were confident of a Cessation, with all the Circumstances of Rage and Cruelty which uses to be contracted by a long and bloody War. After all this, his Majesty, who hath kept his Residence here with all the Demonstration of Care and Affection towards us, graciously forbears to lay any further Siege to that Place; and hath declared unto us, That, by no Act of his, this County shall be made the Seat of War; and yet, by the new Supply of Soldiers taken into Hull, and the late Actions there, (which we conceive to be manifestly against the Oaths of Supremacy and Allegiance, the Petition of Right, and the late Protestation) we have Cause to fear that some Violence is intended both against our Persons and our Fortunes. The Premises considered, we cannot but be infinitely jealous that Sir John Hotham cannot derive his Authority to commit such barbarous Acts of Hostility from the two Houses of Parliament, from whom we expect all the Effects of Happiness, Peace, and Preservation of our Laws and Liberties.

We humbly desire, therefore, to know whether these Outrages are done by your Authority, and whether this County must be subject to that Garrison; that we may thereupon provide in such a Manner for our Safeties, that these Injuries, Violences, and Oppressions be no longer imposed upon us by our Fellow-Subjects; but that we may be all liable to the known Laws of the Land to which we were born, and which is the only Security and Evidence we have for our Lives and Fortunes.

These

These three Instances, amongst many others of Sir John Hotham's Acts of late, we thought fit to annex: An. 18. Car. I. 1642.

July.

1. *He stayed two Ships of Hull, John Rawson and Waton being Masters of them, and they laden with Cloth to the Value of near 40,000l. contrary to the King's-Pleasure and the Order of Parliament, and tending to the great Destruction of Trade.*

2. *A Gentleman of Quality, Mr. Wright, taken Prisoner since his Majesty's withdrawing his Forces from Hull, travelling from his House to York.*

3. *A Drummer of one of his Majesty's Captains taken and forced to march naked thro' 300 Musket-teers, and whipped by each of them.*

Cumberland	William Ingilby
Fauconberge	Francis Darley
Savile	Edward Osborne
Edmund Cowper, Mayor	Jo. Storey
of York	Chr. Dawnay
Peter Middleton	John Ramsden
Robert Maude	William Robinson
Henry Bellasis	John Wolstenholme
William Savile	Mar. Langdale
William Pennyman	Jor. Metham
Henry Slingsby	George Butler
Thomas Danby	Richard Tempest
George Wentworth	Richard Sherburne
Thomas Ingram	John Savile
John Mallory	Francis Monckton
Richard Aldburgh	Tobias Jenkins
Francis Neville	J. Hopton
Godfrey Copley	John Dalston
Thomas Beaumont	Ni. Yarburgh
William Norton	William Armitage
John Copley	John Gibson
Francis Rookeby	John Wandesford
Christopher Wyvill	Francis Tindal
Thomas Hesketh	Richard Wyvill
Conyers D'Arcy	Richard Benson
William D'Arcy	Richard Butler
John Goodricke	Thomas Thornhill

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Christopher Grant

Richard Franck

Jo. Batty

Fra. Hermitage

Fra. Burdett

Darcy Washington

John Hudson

Mic. Fawkes

Thomas Stringer

Gilbert Gregory

Joseph Hillary

Francis Jackson

Ja. Ellerker

George Rogers

John Arkroyd

Robert Savile.

Ordered, That this *Petition* be communicated to the Commons, at a Conference.

July 27. Nothing done in the House of Lords, being the Day of public Fast.

July 28. A *Petition* of Sir *John Conyers*, Knt. Lieutenant of the *Tower*, was read, importing, That the Lords would please to ordain the Lord Mayor to pay, for Fees at his Entrance, and for Composition of Furniture for his Lodging, 140*l.* and 25*l.* a Week for his Diet with the said Lieutenant, or a Composition for his own Diet, suitable to a Man of his Place.' It seems the Lieutenant demanded Fees of the Lord Mayor as an Earl, and he refused to pay more than as a Knight. A Committee of Lords was appointed to examine into this Affair, and report the same to the House. The Hearing of the Lord Mayor's Defence put off to

Further Proceedings on the two Impeachments against the Lord Mayor.

July 29. And, on that Day, Serjeant *Wylde* being asked by the Lords, Whether he had any further Evidence to give against the Lord Mayor, before his Counsel began, he desired that Mr. *Wiseman* might give his Testimony, *viva Voco*, and some more Witnesses since discovered.

Thomas Wiseman, upon Oath, said, ' That he did know of three *Petitions* to the King and both Houses of Parliament: That he had Orders from the Court of Aldermen for framing one, and the Words were put in his Mouth; that he shewed it to the City Counsel, and the Substance of it was agreed on in the Court of Aldermen by the Major Part. To his

his best Remembrance fifteen or sixteen Aldermen were present; it was subscribed by fourteen, and thirteen makes a Court. He knew not whether any Aldermen protested against the *Petition*; some did not agree to it, but the Major Part of the Court did allow it. Mr. *Wiseman* then desired that his former Examination might be read, for the better Help of his Memory, being six Months since it was taken; which was agreed to: Wherein he says, That, for the two first *Petitions*, there was Order given in the Court for making of them, but cannot remember the third to the King was so ordered. That he had Directions from the Lord Mayor and Mr. Recorder, and, as he conceives, from the Court of Aldermen, to send that *Petition* to the King, and he did send it inclosed to the Earl of *Dorset*; but his Lordship did not deliver it, because he thought it not fit.

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Alderman *John Warner*, upon Oath, said, 'He did not remember any Motion was made for the *Petition* to be sent to the King; but that one against the *Ordinance* of *Militia* might be delivered to the Parliament. And the Question being put, Whether a *Petition* or no *Petition*? the Major Part were for it. That some did protest against the preferring of that *Petition*; he himself offered to do it and to leave the Court, but the Lord Mayor commanded him to stay; and that his Lordship did press and urge this *Petition*, to the best of his Remembrance.' Alderman *Atkins* testified again to the same Effect.

Then the Serjeant desired that two *Orders* might be read, made *January 13* and *July 1*, for the Lord Mayor to call a Common Council when he should be required by the Committee; both which *Orders* he confessed he had Notice of.

Three Witnesses more deposed, 'That the Lord Mayor deferred calling a Common Council, tho' urged to it by them; and when it was called, he refused to put the Question concerning disposing of the Magazine from *Hull*; but said he would not do it, and took the Sword and went away.'

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Lastly, Two more Witnesses to the Riot swore, 'That a Man being brought before the Lord Mayor for saying *he would pull down the Cross at Cheapside*, his Lady ordered the Parties, that took him, to be made much of; and that one of them, drinking the Lord Mayor's Health, said, *There were a Thousand that would stand for the Lord Mayor and the Cross.*'

His Defence.

The Serjeant having ended his Evidence for the Charge, the further Hearing of the Cause was deferred till the Afternoon of this Day; when all the Parties being again met, the Counsel for the Prisoner began with his Defence; and, *first*, concerning proclaiming the *Proclamation* for putting in Execution the Commission of *Array*. Here it was argued, 'That the Fact was not proved to be done maliciously; and, if proved, yet it was no Crime. That no *Proclamation* was annexed to the Impeachment; nor no Proof made that the *Proclamation* was to put in Execution the Commission of *Array*: For these Reasons it was said the Charge was not proved; and it was alledged the Lord Mayor was bound to do it by his Oath. Then the *Writ* was read, and Witnesses produced to prove, That it had been the Duty and Custom of the Lord Mayor of *London*, to publish all *Proclamations* that came from the King: *Proclamari fecit Proclamationes annexas.* And,

First, Sir *Nicholas Raynton* said, 'That the Lord Mayor did use to give Orders to proclaim *Proclamations*, directed to him and the Sheriffs, and never acquainted the Sheriffs with it.' Sir *John Garraway*, Sir *Edmond Wright*, and *John Latham* attested the same. Then the Lord Mayor's Counsel urged, That *Anno 3. Jac.* on a *Capias* to take the Countess of *Rutland*, it was adjudged, That the Sheriff was not to question the Illegality of the *Writ*: That there had been no *Vote* against the Lord Mayor's proclaiming the *Proclamation*; and that the *Declaration* against the Illegality of the Commission of *Array* was not published till after the *Proclamation*; the first being made *July 1*, and the latter not till the 6th; nor

was

was there any thing said what he should have pleaded, if, out of Parliament, he should have been questioned by the King for a Refusal.

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Next, The Prisoner's Counsel proceeded to the second Impeachment, about contriving, framing, and publishing some *Petitions*, which were false, scandalous, and seditious.

It was argued, 'That the original *Petition* itself was not annexed, but only a Copy: That Intentions were not punishable, unless it was in Treason. It was alledged, That there was no Proof that the Lord Mayor ever published, or procured any Hands to, that *Petition* which is annexed to the said Impeachment. That *Ferriby* deposed, The Lord Mayor was not present when *Neville* gave him the Names of those he was to summon. It was further argued, That the Lord Mayor never knew of the Presenting the original *Petition* to both Houses. He was charged with framing and contriving a *Petition*, but no Proof made that he had any Privy in it; neither did he see the *Petition* after *Davison* had shewed it to the Recorder; and only one Witness swore, He believed it was to the same Effect.

To prove all this, Mr. *Mitchell*, the Town-Clerk deposed, 'That an Order was made by the Common Council, that a *Petition* should be drawn to be presented to the House of Commons, concerning the *Militia*: That this *Petition* was made before the *Ordinance* for the *Militia* was passed.'

Mr *Davison* said, 'He did not know that the Lord Mayor ever read the Paper carried to the Recorder.'

Mr *Drake* said, 'He knew, by Relation from Mr *Benyon*, that Mr. *Gardner* and Mr *Benyon* drew the *Petition*, and sent it to the Recorder.'

Sir *John Pettyt* deposed, 'That he heard Mr. *Benyon* desire the Lord Mayor that his Man might carry the *Petition* to the Recorder, that it might receive the better Credit. And further said, That when the said *Petition* was brought and shewed to the Lord Mayor, he said he would not meddle with it.'

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Alderman *Garraway* said, 'That the Court of Aldermen disavowed this *Petition*, and would not own it; (and this was with unanimous Consent) neither did any Alderman sign it.'

Concerning the imprisoning of certain 'Prentices, and taking away their *Petition*, *William Goff* deposed, 'That he knew not who took away the *Petition*, but had heard Alderman *Atkins* took it away.' The *Petition* being shewn him, he confessed he subscribed a *Petition* to the same Effect.'

Alderman *Atkins* said, 'He took this *Petition* out of their Hands on a *Sunday* Morning, at *St. Michael's Church*, in *Cornhill*, because it was an unfitting Place to sign *Petitions*.' The *Petition* being read, the Alderman added, 'That he brought that *Petition* to the Lord Mayor, and the 'Prentices came to him to demand it: That they were not imprisoned, but sat by the Fire, and the Door was open.'

Sir Thomas Cheek deposed, 'That six or eight 'Prentices were brought in to the Lord Mayor, to demand their *Petition*: That the Lord Mayor went to Church; and he did not hear any Menace from his Lordship, nor any Word of Commitment.'

Sir John Pettyt said, 'There were about twelve 'Prentices let into the Parlour.' *John Birch*, the Porter, said, 'He let in about the same Number, and they went into the Parlour; the Lord Mayor went to Church; and many People came to the Gate and pressed upon it. That the 'Prentices sat by a Fire, and the Doors were opened that they might have gone out if they would.'

Other two Witnesses deposed, 'That the 'Prentices were willing to stay while the Lord Mayor was at Church: That about two hundred were at the Gate, and the Bar of the Gate was broken.'

Ordered, That the further Hearing of this Cause be deferred to the next Morning, and all the Witnesses to attend as before. But,

July 30. Some other Business intervening, the Trial was deferred to the first of *August*.

Thus

Thus stood Affairs at the End of the Month of *July*, 1642; the Parliament had declared all those that acted in the Commission of *Array* Traitors, and ordered them to be apprehended. And the King proclaimed the Earl of *Essex*, and all the Colonels and Officers of his Army, who should not, instantly, lay down their Arms, Rebels and Traitors. 'This, says *Whitlocke*, was an unhappy Situation for the poor Country; none knowing what to do, or whom to obey, nor what would be the Consequence of these Thwartings between the great Powers and Authorities of King and Parliament.' But, this Month, the Masque was taken off on both Sides; open Declarations of War were made by each Party; two great Armies in the Field and ready to engage in a War; which, in the End, proved destructive to the King, the Parliament, and the Kingdom.

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1642.
August.

August 1. The Lords did not proceed in the Trial of the Lord Mayor on this Day; but, after reading a Letter from the Earl of *Warwick*, with one inclosed from the famous *Dutch* Admiral, *Van Trumpe*, relating to the Seizure and Searching of several *English* Ships, on the Coast of *Flanders*, for contraband Goods, the Lords took next into Consideration a new *Ordinance* of Parliament, sent up by the Commons, concerning the *Subsidy* of *Tonnage* and *Poundage*. This being read, and put to the Question, it was *resolved*, That this House agrees with the Commons therein, the Lord *Spencer* only dissenting. Which *Ordinance* of Parliament, being on a new Principle, declaring their own Assumption of this antient *Subsidy* of the Crown, we subjoin in its own Words from the *Lords Journals*.

* THE Lords and Commons now assembled in Parliament, taking into Consideration the great Perils and Dangers that may ensue, not only to this Kingdom, but likewise unto that of *Ireland*,
An Ordinance of Parliament for levying of Tonnage and Poundage.
* espe-

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August.

‘ especially in these Times of apparent Danger, far
 ‘ exceeding all former Times, either of his Maje-
 ‘ sty or of his Royal Father King *James*; and ta-
 ‘ king into further Consideration the great Debt
 ‘ now due unto the Navy, as well before the Be-
 ‘ ginning of this Parliament as since, amounting to
 ‘ the Sum of 200,000 *l.* and that 52 Ships of War
 ‘ are now in the actual Service of this Kingdom, as
 ‘ well for the Defence thereof as of *Ireland*; and
 ‘ not knowing what other Supply of Ships and of
 ‘ Store will be further requisite in these Times of
 ‘ Danger; and well knowing that they cannot be
 ‘ maintained without great Sums of Money, nor
 ‘ the said great Arrears satisfied by any Monies al-
 ‘ ready collected or owing by Merchants for the
 ‘ Time past :

‘ And, foreseeing the Danger and Necessity of the
 ‘ Supply, did, long before this Time, prepare a new
 ‘ *Book of Rates*, which passed both Houses, now
 ‘ ordered to be published; wherein they had as well
 ‘ an equal Respect to the Ease of the Merchants,
 ‘ as to the raising of such Sums of Money as might
 ‘ be proportionable to those Supplies; and did like-
 ‘ wise prepare and pass a Bill of *Tonnage and Poun-*
 ‘ *dage*, whereby the *Book of Rates* is confirmed;
 ‘ which Bill they have likewise ordered to be print-
 ‘ ed and published; which, after it had pass’d
 ‘ both Houses, was, upon the 29th of *June* last,
 ‘ sent to his Majesty at *York* for the Royal Assent;
 ‘ which his Majesty not having passed, the Lords
 ‘ and Commons did, upon the 14th Day of
 ‘ *July* last, command the Earl of *Holland*, Sir
 ‘ *John Holland*, and Sir *Philip Stapylton*, (by whom
 ‘ they did send their late *Petition* to his Majesty) in
 ‘ the Name of both Houses, to move his Majesty
 ‘ to give a speedy Passage to that Bill, whereunto
 ‘ his Majesty hath given no Answer at all. And
 ‘ whereas the former Bill of *Tonnage and Poundage*
 ‘ did determine the first Day of *July* last, since
 ‘ which Time no Monies intended to be rai-
 ‘ sed by this last Bill have been collected; now the
 ‘ said

‘ said Lords and Commons, having taken the Pre-
 ‘ mises into due and serious Consideration, for pre-
 ‘ venting the inevitable Dangers that must necessa-
 ‘ rily ensue, without timely Prevention in that
 ‘ Behalf, have thought good to make this their *De-*
 ‘ *claration* to all his Majesty’s loving Subjects.

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 1642.

August.

1. ‘ Whereas by an Act made this present Parlia-
 ‘ ment, intituled, *An Act for the Relief of the Cap-*
 ‘ *tives taken by the Turkish, Moorish, and other Py-*
 ‘ *rates, and to prevent the taking of others in Time to*
 ‘ *come*, all Merchants, as well Denizens as Aliens,
 ‘ for any Goods exported or imported, from the
 ‘ tenth Day of *November* 1641, during the Term
 ‘ of three Years then next ensuing, are to make
 ‘ due Entries of all such their Goods in the Port of
 ‘ *London*, and all other his Majesty’s Ports within
 ‘ the Realm of *England* and Dominion of *Wales*,
 ‘ upon the Penalties of the Forfeiture of the said
 ‘ Goods :

‘ Now the said Lords and Commons do enjoin
 ‘ all Merchants, as well Denizens as Aliens, to
 ‘ make due Entry of all such Goods and Merchan-
 ‘ dize, as they shall, during the Continuance of the
 ‘ said Act, export and import. And, to the In-
 ‘ tent that the Entries may be accordingly made,
 ‘ they do expect that the Customers, Comptrollers,
 ‘ Searchers, and all other the Officers of the said
 ‘ City of *London* and other the Ports respectively,
 ‘ do carefully attend the several Charges, and make
 ‘ due Seizure as forfeited, of all such Goods and
 ‘ Merchandize, as shall not be entered according to
 ‘ the Intent of that Statute.

2. ‘ That altho’ the said last Bill for *Tonnage* and
 ‘ *Poundage* hath not yet had the Royal Assent, and
 ‘ therefore the Subject, by the Law, is not compel-
 ‘ lable to pay the Duty therein limited to be paid ;
 ‘ yet the Premises and pressing Necessities consider-
 ‘ ed, the Lords and Commons do declare, that it
 ‘ shall be taken as an acceptable Service to the Com-
 ‘ mon-wealth, and a Manifestation of their good
 ‘ Affections to the Public, of all those that shall,
 ‘ upon

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1. ' upon the Entry of their Goods, advance and pay,
' by way of Loan, unto the Collectors or Com-
' missioners, which now are or hereafter shall be
' named, or to their Deputy or Deputies, all such
' Sum or Sums of Money, as are payable by the
' last *Book of Rates*, and should have been due in
' case the said Bill had pass'd into a Law.

3. ' That every Merchant so advancing Mo-
' ney as aforesaid, shall have an Allowance, by
' way of Defalcation, of 15 *l. per Cent.* out of e-
' very 100 *l.* he or they shall so advance and pay,
' over and above all other Allowances made in the
' said Bill or *Book of Rates*, or either of them, and
' so out of every greater or less Sum after that Rate.

4. ' Whereas the Bill of *Tonnage and Poundage*,
' now remaining with his Majesty, cannot have the
' Force of a Law, without the further Concur-
' rence of the Lords and Commons, in respect the
' Speaker of the House of Commons, by and with
' the Consent of the said Commons, is to carry the
' said Bill into the Lords House for the Royal As-
' sent; as also in respect that, in his Majesty's Ab-
' sence from Parliament, his Majesty hath no Power
' to pass his Royal Assent unto a Bill, but by his
' Letters Patent under the Great Seal, and signed
' with his Hand, declared and notified to the Lords
' and Commons assembled together in the Higher
' House, as by a Statute made the twenty-third
' Year of King *Henry VIII.* appeareth: Now the
' Lords and Commons, for the further Assurance
' of Merchants advancing Money as aforesaid, do
' promise and declare, That before they consent to
' the perfecting of the said Bill of *Tonnage and*
' *Poundage*, now remaining with his Majesty, or
' any other Bill of *Tonnage and Poundage* whatso-
' ever, Provision shall be made that the said Allow-
' ance of 15 *l. per Cent.* shall be confirmed unto
' the said Merchants accordingly; and that they,
' their Heirs, Executors, Administrators, and Assigns,
' shall be for ever acquitted and discharged of and
' from the Payment thereof.

5. ' To

5. ' To the Intent that no Merchants do for-
' bear to advance the said Money by way of Loan,
' according as is hereby desired, in Hopes that the
' Duties in the said Bill shall not hereafter become
' payable from the first Day of *July* 1642, the Lords
' and Commons do *declare*, That no Bill of *Ton-*
' *nage* and *Poundage* shall hereafter pass in Parlia-
' ment, but such as shall relate and be in Force to
' compell all Merchants to pay for all Goods and
' Merchandizes, exported and imported, from the
' said first Day of *July* 1642, on which Day the
' former Bill of *Tonnage* and *Poundage* expired; in
' which Bill there shall be that Clause of Forfeiture
' of the Value of all such Goods as shall not be du-
' ly entered in the Custom-house, from and after
' that Day, in such Manner as in the said Bill is ex-
' pressed.

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6. ' As to Merchants who shall not advance
' Money by way of Loan, as aforesaid, in regard of
' the present and pressing Dangers and Necessities,
' the Lords and Commons do *declare*, That at what
' Time soever they shall consent to the Passing of
' any Bill of *Tonnage* and *Poundage*, all such Per-
' sons, who shall not advance Money as aforesaid,
' shall be charged to pay the Duties of *Tonnage* and
' *Poundage* from the said first Day of *July* 1642,
' during the Term of the said Bill, in such Manner
' as by the said Bill shall be provided.

7. ' That to the Intent no Officer belonging to
' any Custom-house within this Kingdom, or the
' Dominion of *Wales*, or other Persons appointed
' to be Commissioners for receiving such Money as
' shall be advanced by Merchants as aforesaid, be
' discouraged, by reason of any Penalties mentioned
' in any former Act of *Tonnage* and *Poundage* pass'd
' this Parliament, from receiving any Duties upon
' Merchandize, not being granted by Parliament;
' although the Lords and Commons do conceive,
' and hereby *declare*, That the Receiving of the
' said Sums of Money beforementioned is not
' within the true Intention of the said Penalties,
' the same being advanced voluntarily, by way of
Loan;

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1. ' Loan ; as also in respect those Acts, and the true
' Intent of them, were principally to restrain the
' Crown from imposing upon the People without
' their Consent : Yet, for the further Encourage-
' ment of such Person, or Persons, who shall re-
' ceive any such Sums, they do declare and promise,
' That before the said Bill of *Tonnage* and *Pound-*
' *age*, now remaining with his Majesty, or any
' other, do pass for a Law, there shall be a Provi-
' sion made, in such Bill, for the Indemnity and
' Security of all such Person and Persons in that
' Behalf.

8. ' That whereas, by a former *Order* of the
' Commons House of Parliament, the Officers ap-
' pointed for that Purpose have Orders to take Bonds
' of all Merchants for the Payment of One *per Cent.*
' to be raised by virtue of the aforesaid Bill, for the
' Relief of the Captives taken by the *Turkish* or o-
' ther Pirates, or so much thereof as shall be agreed
' on by the Lords and Commons in Parliament : It
' is now *ordered*, That all such Merchants, as shall
' not advance Money by way of Loan as aforesaid,
' shall, at all Times hereafter, upon Entry of their
' Goods, make Payment of ready Money for their
' said Goods, according to the Tenor of the said
' Bill ; and likewise all such other Sums of Money
' as, by virtue of the said Bill, are due from the
' said Merchants upon Bill, or otherwise, for Goods
' by them formerly entered since the 10th Day of
' *December* 1641, by the true Intent of which Act
' the One *per Cent.* to be paid and received, is to
' be taken and received according to such Rates as
' were due and payable by the Bill of *Tonnage* and
' *Poundage*, which did last determine.

9. ' The Lords and Commons do *ordain*, That
' the same Collectors, or Commissioners, who have
' formerly received the several Duties upon Mer-
' chandize, upon the several Bills of *Tonnage* and
' *Poundage* pass'd this Parliament, shall be, and are,
' deputed to be Commissioners, who are enabled by
' this *Ordinance* to receive all such Sum, or Sums,
' of Money, which shall, at any Time hereafter,

be

‘ be voluntarily advanced by way of Loan, in such An. 18. Car. I.
 ‘ Manner as they have formerly received the for- 1642.
 ‘ mer Duties of *Tonnage* and *Poundage*; which said
 ‘ Commissioners, their Deputy or Deputies, or any
 ‘ one of them, shall have full Power and Authority
 ‘ to give Allowance, by way of Defalcation, after
 ‘ the Rate of 15*l. per Cent.* out of all such Mo-
 ‘ nies as shall be advanced according to the true
 ‘ Intent of this *Ordinance*: All which Monies the
 ‘ said Commissioners, their Deputy or Deputies,
 ‘ shall receive upon Account; and shall, from Time
 ‘ to Time, issue out of the same, as they, the said
 ‘ Commissioners, shall be authorized by *Order* of
 ‘ the Lords and Commons in Parliament, or of
 ‘ such other Person, or Persons, as they shall no-
 ‘ minate and appoint to be employed for the Uses
 ‘ herein before expressed.

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10. ‘ For the more due Execution of the Pre-
 ‘ mises, and that an Account be justly kept of the
 ‘ Commissioners due Charge, the Customers and
 ‘ Comptrollers, as well of the City of *London* as
 ‘ the Out-Ports, are required, in every twenty-
 ‘ eight Days, to make a true Copy of all such En-
 ‘ tries as have been made in the several Ports respec-
 ‘ tively, and of the Monies payable by the said
 ‘ Entries; and are to certify the said Accounts,
 ‘ monthly, unto *William Soames, Esq;* Surveyor-
 ‘ General in the Custom-house of *London*; who
 ‘ is likewise required to make up a perfect Account
 ‘ upon all the several Certificates, and to return the
 ‘ same unto the Commons House of Parliament, or
 ‘ to such Committee as shall be thereunto authoriz’d
 ‘ by them.

‘ That for the better Direction as well of the
 ‘ Merchants, what is to be performed on their Parts,
 ‘ as of the several Officers of the Custom-house in
 ‘ the several Ports respectively: It is *ordained* by the
 ‘ Lords and Commons now assembled in Parlia-
 ‘ ment, That a true Copy of the said Bill of *Ton-*
 ‘ *nage* and *Poundage*, which hath passed both Houses,
 ‘ and is now remaining with his Majesty, shall be
 ‘ printed, and both it and the said *Book of Rates*
 ‘ pub-

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published, and sent as well to the Officers of the Custom-house in the City of *London*, as unto the Officers of the Out-Ports respectively.

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Lastly, 'For the Encouragement of Merchant-Strangers, trading to the Port of *Dover*, to continue their Intercourse of Trade, and the Importation of Bullion and foreign Coin: It is ordered by the Lords and Commons, That the several Officers in that Port respectively shall, and may, from Time to Time, give unto all Merchant-Strangers the like Respect and Allowance in their Customs as they have formerly done.'

August 2. This Day the Lords read a *Declaration*, brought up from the Commons, by Mr. *Denzil Holles*, setting forth the Grounds and Reasons which necessitated the Parliament, at this Time, to take up defensive Arms for the Preservation of his Majesty's Person, the Maintenance of the true Religion, the Laws and Liberties of this Kingdom, and the Power and Privilege of Parliament; which, with some Alterations and Amendments, was agreed to, and is as follows:

Their Reasons
for taking up defensive Arms.

WE the Lords and Commons in Parliament assembled, having taken into serious Consideration the present State and Condition of imminent Danger, in which the Kingdom now stands, by reason of a Malignant Party prevailing with his Majesty; putting him upon violent and perilous Ways, and now in Arms against us, to the Hazarding of his Majesty's Person, and for the Oppression of the true Religion, the Laws and Liberties of this Kingdom, and the Power and Privilege of Parliament; all which every honest Man is bound to defend, especially those who have taken the late *Protestation*, by which they are more particularly tied unto it, and the more answerable before God, should they neglect it: Wherefore, we (finding ourselves engaged in a Necessity to take up Arms likewise, for the Defence of these, which, otherwise, must suffer and perish; and having

ving used all good Ways and Means to prevent
Extremities, and preserve the Peace of the King-
dom, which good Endeavours of ours the Malig-
nity of our Enemies hath rendered altogether suc-
cessless and vain) do now think fit to give this
Account unto the World, to be a Satisfaction un-
to all Men of the Justice of our Proceedings, and
a Warning unto those who are involved in the
same Danger with us, to let them see the Necessity
and Duty which lies upon them to save them-
selves, their Religion and Country; for which
Purpose, we set out this *Declaration*: (p)

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That it appears by the *Answer* which his Majesty
hath given to the *Humble Petition for Peace*, pre-
sented unto him by both Houses of Parliament,
and those Demands which he makes, that the
Design which hath been so long carried on to al-
ter the Frame and Constitution of this Govern-
ment, both in Church in State, is now come to
Ripeness; and the Contrivers of it conceive them-
selves arrived to that Condition of Strength, that
they shall be able to put it in present Execution.

For what else can be signified by the Demand-
ing of *Hull*, the Fleet, and the Magazine to be
immediately delivered up: All our Preparations of
Force to cease, and the defensive Arms of the Par-
liament to be laid down, and the Parliament to
be adjourn'd to another Place, than that we should,
out of the Sense of our own Inability to make
Resistance, yield ourselves to the cruel Mercy of
those

(p) In the Debate on this *Declaration* in the House of Commons,
Exceptions were taken to some Words, spoken by Sir *Symmonds*
D'Ewes, as laying Aspersions and Imputations upon the Committee
that had brought it in, viz. 'That there were many Things in this
Declaration, that were taken out of other Men's Pockets and Bud-
'gets, and before printed.' Whereupon he was commanded to with-
draw, and it was resolved, That Sir *Symmonds D'Ewes* should ask
the Committee Pardon for the Imputation laid upon them by these
Words, and the Offence thereby committed against the House; and
that he should receive Reprehension for it in his Place. He was ac-
cordingly reprehended by Mr. Speaker, who admonished him to be
more careful of his Expressions hereafter; and not to lay Imputa-
tions upon any particular Members, much less upon any Committee
employed in the Service of the House.

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those who have possessed the King against us, and incited him to violate all our Privileges, and revile the Persons and Proceedings of the Parliament? Or else, if (as it cannot be otherwise conceived) we do not grant what is so unreasonable and destructive, forthwith to bring on that Force which is prepared against us, by the Concurrence and Assistance of *Papists*, an ambitious and discontented Clergy, Delinquents obnoxious to the Justice of Parliament, and some ill-affected Persons of the Nobility and Gentry; who, out of their Desire of a dissolute Liberty, apprehend, and would keep off, the Reformation intended by the Parliament.

These Persons have conspired to ruin this Parliament, which alone hath set a Stop to that Violence so long intended, and often attempted, for the Alteration of Religion, and Subversion of the Laws and Liberties of the Kingdom.

How far we were plunged in a miserable Expectation of most evil Days, and how fast this growing Mischief prevailed upon us before this Parliament, needs not now be declared, it being so fresh and bleeding in every Man's Memory. Religion was made but Form and Outside; and those who made Conscience to maintain the Substance and Purity of it, whether Clergy or others, were discountenanced and oppressed, as the great Enemies of the State. The Laws were no Defence nor Protection of any Man's Right; all was subject to Will and Power, which imposed what Payments they thought fit, to drain the Subject's Purse, and supply those Necessities which their ill Counsels had brought upon the King, or gratify such as were Instruments in promoting those illegal and oppressive Courses. They who yielded and complied were countenanced and advanced, all others disgraced and kept under; that so, Men's Minds made poor and base, and their Liberties lost and gone, they might be ready to let go their Religion whensoever it should be resolved to alter it; which was, and still is, the great Design, and all else

‘ else made use of but as instrumentary and subser- An. 18. Car. 1.
‘ vient to it. 1642.

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‘ When they conceived the Way to be sufficient-
‘ ly prepared, they at last resolved to put on their
‘ Master-piece in *Scotland*, (where the same Me-
‘ thod had been followed) and more boldly to un-
‘ mask themselves, in imposing upon them a *Popish*
‘ Service-Book ; for well they knew the same Fate
‘ attended both Kingdoms, and Religion could not
‘ be altered in the one, without the other. God
‘ raised the Spirits of that Nation to oppose it with
‘ so much Zeal and Indignation, that it kindled such
‘ a Flame, as no Expedient could be found but a
‘ Parliament here to quench it.

‘ This Necessity brought on this Parliament ;
‘ and the same Necessity gave it, in the Beginning,
‘ Power to act with more Vigour and Resolution
‘ than former Parliaments had done, and to set
‘ upon a Reformation of the great Disorders, both
‘ in the Ecclesiastical and Civil State ; which drew
‘ a more particular Envy and Odium upon it, than
‘ was usual to the generality of Parliaments ; and
‘ was a Cause, that those, who had swallowed up,
‘ in their Thoughts, our Religion and Liberties, and
‘ now saw themselves defeated by this Means, bent
‘ all their Endeavours, and raised all their Forces to
‘ destroy it.

‘ *First*, Whilst the *Scots* Army remained here,
‘ they endeavoured to incense the two Nations, and
‘ engage their Armies one against the other ; that,
‘ in such a Confusion as must needs have followed,
‘ the Parliament might not be able to sit ; and those
‘ Forces destroying one another, might open some
‘ Opportunity for them to gain their Ends upon
‘ both Kingdoms ; and that then as their Need, so
‘ the Being of the Parliament, might cease ; the
‘ Wisdom of the Parliament prevented that Mis-
‘ chief, and composed those great Differences betwixt
‘ the King and the Kingdom of *Scotland*. That
‘ Plot failing, they endeavoured to turn the *English*
‘ Army against the Parliament : This was discover-
‘ ed, the chief Actors fled, and the Danger avoided.

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Then they labour to stir up the *Scots* Army against us ; but such was the Faithfulness and Affection of those our Brethren, that they could not effect it.

After this they carry the King into *Scotland*, to try if a Party could be there raised to suppress first the good Party in that Kingdom, and so compass their intended Purpose here. At the same Time the Rebellion in *Ireland*, an Egg likewise of their hatching, breaks out, but their Plot failed in *Scotland* ; yet, upon Hopes of Success there, such Preparatives were here, and such Recourse of ill-affected Persons to this Town, that the Parliament thought it necessary, for their own Security, to have a Guard. The King, upon his Return, instantly dismisses that Guard, and puts another upon us ; which produced such ill Effects, as we were glad to dismiss them, and rather run any Hazard than have such a Guard.

Thus left naked, presently some Members of both Houses are unjustly charged with Treason ; and the King comes with a Troop of Cavaliers to the House of Commons, to fetch those away by Force, whom he had caused to be so unjustly accused ; the greatest Violation of the Privileges of Parliament that ever was attempted, and so manifest a Destruction of the Right of the Subject, which is only preserved by Parliament, that the City of *London* took a pious and generous Resolution to guard the Parliament themselves ; which so grieved and enraged those wicked Persons, who had engaged the King in that last, and all those other Designs and Practices against the Parliament, that they make him forsake *Whitehall*, under Pretence that his Person was there in Danger ; a Suggestion as false as the Father of Lies can invent.

Then do they work upon him and upon the Queen ; persuade her to retire out of the Kingdom, and carry him further and further from the Parliament ; and so possess him with an Hatred of it, that they cannot put Words bitter enough into his Mouth

‘ Mouth to express it upon all Occasions : They
 ‘ make him cross, oppose, and inveigh against all
 ‘ the Proceedings of Parliament ; encourage and
 ‘ protect all those who will affront it ; take away
 ‘ all Power and Authority from it, to make it con-
 ‘ temptible and of less Esteem than the meanest
 ‘ Court ; draw away the Members, commanding
 ‘ them to come to him to *York* ; and, instead of dis-
 ‘ charging their Duty in the Service of the Parlia-
 ‘ ment, to contribute their Advice and Assistance
 ‘ to the Destruction of it ; endeavour to possess the
 ‘ People that the Parliament will take away. the
 ‘ Law, and introduce an Arbitrary Government ;
 ‘ a Thing which every honest moral Man abhors,
 ‘ much more the Wisdom, Justice, and Piety of
 ‘ the two Houses of Parliament ; and, in Truth,
 ‘ such a Charge, as no rational Man can believe, it
 ‘ being impossible so many several Persons, as the
 ‘ two Houses of Parliament consist of, about six
 ‘ Hundred, and in either House all of equal Power,
 ‘ should all of them, or at least the Major Part, agree
 ‘ in Acts of Will and of Tyranny, which make up
 ‘ an Arbitrary Government ; and most improbable,
 ‘ that the Nobility and chief Gentry of this King-
 ‘ dom should conspire to take away the Law by
 ‘ which they enjoy their Estates, are protected from
 ‘ any Act of Violence and Power, and differenced
 ‘ from the meaner Sort of People, with whom,
 ‘ otherwise, they would be but Fellow-Servants.
 ‘ To make all this good upon the Parliament,
 ‘ and either make the Kingdom believe it, or so
 ‘ awe it that no Body shall dare say the contrary,
 ‘ Force is prepared, Men are levied, and the Malig-
 ‘ nant Party of the Kingdom, as was before speci-
 ‘ fied, that is, *Papists*, the Prelatical Clergy, De-
 ‘ linquents, and that Part of the Nobility and Gen-
 ‘ try, which either fear Reformation, or seek Pre-
 ‘ ferment by betraying their Country to serve the
 ‘ Court, have combined to bury the Happiness of
 ‘ this Kingdom in the Ruin of this Parliament ;
 ‘ and, by forcing it to cut up the Freedom of Parli-
 ‘ ament by the Roots, either take all Parliaments
 ‘ away,

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away; or, which is worse, make them the Instruments of Slavery, to confirm it by Law, and leave the Disease incurable.

That done, then come they to crown their Work, and put that in Execution, which was first in their Intention; that is, the Changing of Religion into *Popery* and *Superstition*.

All this while the two Houses of Parliament have, with all Duty and Loyalty, still applied themselves unto his Majesty; and labour'd, by humble Prayers, and clear and convincing Reasons and Arguments, in several *Petitions*, to satisfy him of their Intentions, the Justness of their Proceedings, their Desire of the Safety of his Royal Person and of the Peace of the Kingdom.

And only to preserve that Peace, and prevent the pernicious Practices of these Incendiaries, (such as the Lord *Digby*, who at first persuaded the King to get into some strong Place, that he might protect those whom he stiled the King's Servants; but in Truth such as do divide him from his Parliament and Kingdom, and might be revenged upon his Parliament, where, he said, that Traitors bare that Sway; who, in the mean Time, promised he would do him Service abroad; which, by his own Letters, appears to be the Procuring of Supplies against the Kingdom and Parliament, with which he himself said he would return; as since he hath done, disguised, with Store of Arms, in the Ship called *The Providence*; (q) and who had attempted, upon the King's first going from *Whitehall*, to raise some Numbers of Horse and Foot under the Colour of a Guard for his Majesty, to

(q) The Lord *Digby* was taken on board this Ship, in the Character of a *Frenchman*; and, under that Disguise, pretending he could give Informations of the most private Circumstances of the King's Designs, was introduced to Sir *John Hoibam*; to whom he afterwards discovered himself; and even proposed to him the Surrendering up of *Hull* to his Majesty, which the Governor promised his utmost Endeavours to effect: But the Project, at this Time, prov'd abortive.—Lord *Clarendon* gives a very minute Account of this extraordinary Negotiation, but it is too long for our Purpose. *Vol. II. p. 705.*

In the *Commons Journals* Notice is taken of a *Frenchman's* being on board the Ship *Providence*, who was ordered to be secured.

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‘ to be the Foundation of an Army against the Par-
‘ liament; which, then failing, hath since taken Ef-
‘ fect, and shews what was then in their Thoughts,
‘ before *Hull*, or the *Militia*, or any thing else of
‘ that Nature was in Question) the Parliament
‘ thought fit to secure *Hull*, lest it might be a Re-
‘ ceptacle of such ill-affected Persons, and of what
‘ Aid could be gotten from foreign Parts; the Fleet
‘ under the Earl of *Warwick* to defend the King-
‘ dom, and prevent such Mischief from abroad;
‘ the Magazine of Arms, that they should not be
‘ employed against us; and the *Militia* of the King-
‘ dom in such Hands as the Parliament might con-
‘ fide in, to suppress Commotions within ourselves.

‘ And how necessary all this was to be done, the
‘ succeeding Designs and Practices upon them do
‘ all sufficiently manifest; and great Cause hath the
‘ whole Kingdom to bless God, who put it into the
‘ Heads and Hearts of the Parliament to take Care
‘ of these Particulars: For were these pernicious
‘ Persons about the King Masters of them, how
‘ easy would it be for them to master the Parlia-
‘ ment, and master the Kingdom? And what could
‘ we expect but Ruin and Destruction from such
‘ Masters, who make the King, in this Manner, re-
‘ vile and detest us and our Actions? Such, who
‘ have embarked him in so many Designs to over-
‘ throw this Parliament? Such, who have long
‘ thirsted to see Religion and Liberty confounded
‘ together?

‘ Let the World now judge what more could
‘ be done by us, than we have done, to appease his
‘ Majesty, and regain his Grace and Favour, if (af-
‘ ter the Presenting of such a *Petition* as the last was,
‘ so full of submissive, humble, affectionate Desires
‘ of Peace, so full of Duty and Loyalty, as we
‘ thought Malice itself could not have excepted a-
‘ gainst; and having received so sharp a Return,
‘ such Expressions of Bitterness, a Justification and
‘ avowed Protection of Delinquents from the Hand
‘ of Justice, Demands of so apparent Danger, such
‘ Manifestations of an Intention to destroy us, and

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‘ with us the whole Kingdom ; and this most clearly evidenced by their subsequent Actions, even since these Propositions have been made unto us from his Majesty ; over-running several Counties, compelling the Trained Bands, by Force, to come in and join with them, or disarming them, and putting their Arms into the Hands of leud and desperate Persons ; thereby turning the Arms of the Kingdom against itself) it be not fit for us, not only not to yield to what is required, but also to make further Provision for the Preservation of ourselves, and of those who have sent us hither, and intrusted us with all they have, Estates, Liberty, and Life, and that which is the Life of their Lives, their Religion ; and even for the Safety of the King’s Person, now environed by those who carry him upon his own Ruin, and the Destruction of all his People, at least to give them Warning that all this is in Danger ; that if the King may force this Parliament, they may bid farewell to all Parliaments from ever receiving Good by them ; and if Parliaments be lost, they are lost, their Laws are lost, as well those lately made, as in former Times ; all which will be cut in sunder with the same Sword now drawn for the Destruction of this Parliament.

‘ Then if they will not come to help the Parliament, and save themselves, though both they and we must perish, yet have we discharged our Consciences and delivered our Souls ; and we will look for a Reward in Heaven, should we be so ill requited upon Earth, by those of whom we have so well deserved ; which we cannot fear, having found, upon all Occasions, such real Demonstrations of their Love and Affection, and of their right Understanding and Apprehension of our and their common Danger ; especially now that the Question is so clearly stated, and that it appeareth that neither *Hull*, nor the *Militia*, nor the Magazine, are the Grounds of the War which is so furiously driven on against us by a Malignant Party of Pa-

‘ *pi/ls*,

‘ *pists*, those who call themselves *Cavaliers*, and
 ‘ other ill-affected Persons; but so far forth only as
 ‘ the Parliament, and all the Members of both Houses,
 ‘ and all other Persons who have shewed themselves
 ‘ forward for the Defence of the Sincerity of Reli-
 ‘ gion, the Laws and Liberties of the Kingdom,
 ‘ and the just Power and Privileges of Parliament,
 ‘ are preserved and secured thereby.

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‘ For the many Designs upon the Parliament
 ‘ above-mentioned, the Attempts to be possessed of
 ‘ *Hull* and of the Magazine, by sending thither
 ‘ Capt. *Legge*, (a Delinquent to the Parliament for
 ‘ having had a Hand in the treasonable Practise to
 ‘ bring up the Army against us) and the Earl of
 ‘ *Newcastle* in a disguised Habit, which was in Pur-
 ‘ suance of the Lord *Digby*’s Advice, and the En-
 ‘ deavouring to raise Forces under Pretence of a
 ‘ Guard to the King’s Person in the Winter: All
 ‘ this, before we medled with *Hull*, or the Ma-
 ‘ gazine, or *Militia*, shew plainly that our Act in
 ‘ securing them was not the Cause of the King’s
 ‘ taking up Arms, and exercising Hostility upon his
 ‘ loving and loyal Subjects, which was in the
 ‘ Thoughts and Endeavours of those about the King;
 ‘ who then had, and still have, the greatest Influ-
 ‘ ence upon his Councils, before we thought of
 ‘ *Hull*, or the *Militia*, or any thing else of that Na-
 ‘ ture; and then that our Resigning of them, now,
 ‘ would not prevail with him to make him lay
 ‘ down his Arms, and return to his Parliament,
 ‘ and gratify the earnest and longing Desires of his
 ‘ People, to enjoy his Presence, Favour, and Pro-
 ‘ tection: But that if he could recover, either by our
 ‘ Resignation, or any other Way, a Place of so much
 ‘ Advantage to him, and Weakening to us, Use
 ‘ would be made of it to our infinite Prejudice and
 ‘ Ruin; the Intention being still the same, not to
 ‘ rest satisfied with having *Hull*, or taking away the
 ‘ *Ordinance* of the *Militia*; but to destroy the Parlia-
 ‘ ment, and be Masters of our Religion and Liber-
 ‘ ties; to make us Slaves, and alter the Govern-
 ‘ ment

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ment of this Kingdom, and reduce it to the Condition of some other Countries, which are not governed by Parliaments, and so not by Laws; but by the Will of the Prince, or rather of those who are about him.

Yet willingly would we give his Majesty Satisfaction in these Particulars, (and so have we offered it) could we be secured that, by disarming ourselves, and delivering them up to his Majesty, (as the Sword of Justice is already put into the Hands of divers *Papish* and other ill-affected Persons, by putting them into the Commission of the Peace, and other Commissions; and putting out others that are well-affected) we should not, to our own Destruction, put the Military Sword into the Hands of those evil Counsellors and ill-affected Persons, who are so prevalent with his Majesty; *Papists* many of them, or very late Converts, by taking the Oaths of Supremacy and Allegiance; for which they may very well have a Dispensation, or Indulgence, to be enabled thereby to promote so great a Service for the *Papish* Cause, as to destroy the two Houses of Parliament, and, through their Sides, the *Protestant* Religion.

But we have too just Cause to believe and know, considering those continued Designs upon us, and the Composition of the King's Army and of his Council at this Time, that these Things are desired to be made use of to our Destruction, and the Destruction of that which we are bound, by our *Protestation*, to defend; and woe to us if we do it not, at least do our utmost Endeavours in it, for the Discharge of our Duties and the Saving of our Souls, and leave the Success to God Almighty.

Therefore we, the Lords and Commons, are resolved to expose our Lives and Fortunes for the Defence and Maintenance of the true Religion, the King's Person, Honour, and Estate, the Power and Privilege of Parliament, and the just Rights and Liberties of the Subject; and also for
the

‘ the Prevention of that most mischievous De-
 ‘ sign, which gives Motion to all the rest, and hath
 ‘ been so strongly pursued these many Years, the
 ‘ Altering of our Religion; which if God in his
 ‘ Mercy had not miraculously diverted, long ago
 ‘ had we been brought to the Condition of poor
 ‘ Ireland, weltering in our own Blood and Con-
 ‘ fusion.

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‘ And we do here require all those who have any
 ‘ Sense of Piety, Honour, or Compassion, to help
 ‘ a distressed State; especially such as have taken
 ‘ the *Protestation*, and are bound in the same Duty
 ‘ with us unto their God, their King, and Country,
 ‘ to come in to our Aid and Assistance: This be-
 ‘ ing the true Cause for which we raise an Army,
 ‘ under the Command of the Earl of *Essex*; with
 ‘ whom, in this Quarrel, we will live and die.’

The Lords, next, proceeded in the Cause of the
 Lord Mayor, and the Commons being come up,
 his Counsel desired leave to produce two new Wit-
 nesses as to the second Charge; which the Committee
 of the Commons objected to, but it was over-ruled
 by the Lords: The Counsel then produced Sir *John*
Gaire, Alderman, who said, ‘ That he remember’d,
 about the End of *February* last, there was a Meet-
 ing at the Lord Mayor’s House, at the Request of
 some Commoners, concerning a *Petition* drawn by
 Mr. *Benyon*, in which the Aldermen were to give
 their Opinion; who, having read it, withdrew
 themselves to consider of it. That the Lord Mayor
 consented to it no more than any of the rest.’—
 One of the Sheriffs, Mr. *Clarke*, deposed to the same
 Purpose.

The Lord
 Mayor’s Defence
 against his second
 Impeachment.

The Counsel next proceeded in their Defence a-
 gainst the Charge of not punishing a notorious Riot.
 They desired it might be observed on what Persons
 the Riot was committed. It was said, That divers
 Inferences, given in Evidence, were not charged in
 the Impeachment; as the Entertainment and Feast-
 ing of them, and his bidding them go to the Com-
 mittee: That a Riot cannot be committed by a
 single

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single Person; for there was but one of the three Men, brought before the Lord Mayor, to be bound over concerning the Riot: That the Lord Mayor ought not to deliver the Information out of his Hands, being the King's Evidence: That the Cross in *Cheapside*, which they were going to pull down, was a Boundary of a great many Inheritances of Houses about it: And that People had fastened Ropes to pull down this Cross, on *Candlemas-Day* last; to prevent which the Lord Mayor did double the Watch, and gave out *Warrants* to cause some of the Trained Bands to go to disperse the Tumult. To prove all this,

Mr. Sheriff *Clarke*, depos'd, 'That, on *Candlemas-Day* last, about Four in the Afternoon, the Lord Mayor sent for him, and he found many People at his House, examining the Business concerning the Cross; and that he sent out *Warrants* to two of the Captains of the Trained Bands to come and suppress the Tumult; and he called the other Sheriff, and made Proclamation to command the People to depart. That the 'Prentices demanded their Fellows out of Prison, committed by the Lord Mayor; and went to the *Compter*, and did begin to pull down the House for them; but the Trained Bands prevented it. And, *lastly*, that he had Power from Parliament, the 11th of *January* last, to raise the Trained Bands.'

Other Witnesses were produced to prove the Tumult, and that they were knock'd down in endeavouring to suppress it; being Constables, &c. The further Proceedings deferred for two Days.

August 4. Both Houses were still busy in giving out written *Instructions* for their Deputy-Lieutenants in several Counties; and in granting Indemnities to Cities, Towns, and even to particular Persons, who had any ways signalized themselves in their Service.

Portsmouth declares for the King.

Some Places, however, had the Resolution to declare for the King; amongst which the important Town of *Portsmouth* was one, whose Governor,

Co-

Colonel *Goring* had not only declared himself against the Parliament; given an Oath to the Garrison there for that Purpose, and those that would not take it he had thrust out of the Town; but also, as the Commons were informed, taken into the Fort many *Papists* with Provisions.

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This Piece of News was communicated to the Lords this Day, at a Conference, by the Commons; who likewise said, They had considered the best Way to reduce this Town was to secure the Isle of *Wight*, whose Governor, the Earl of *Portland*, they suspected, because his Wife, they said, was a Recusant, her Brother voted a Malignant, and his Brother in the Town of *Portsmouth*. That the Commons looked upon this Earl to be, legally, a Person not fit for that Command; because the Custody of the Isle belonged to the Earl of *Pembroke*, as Lord Lieutenant of *Hampshire*. Lastly, They desired the Earl of *Portland* might be put into safe Custody, and he was committed to the Keeping of one of the Sheriffs of *London* for the present; but, in a Day or two after, on Suspicion that he was concerned in the Surrender of *Portsmouth* to the King, he was sent to the *Tower*.

The Earl of Portland committed to the Tower.

'Tis not improbable that his Lordship's being the only Peer that opposed the *Ordinance* for the Earl of *Essex's* Commission of Captain-General, as before taken Notice of, might be one Motive to the Resentment of the Commons against him; since we find that, two Days after, the Earl of *Leicester* and the Lord *Spencer* (who, together with the Earl of *Portland*, were the only Opposers of the *Resolutions* of the 6th of *July*, for raising 10,000 Foot out of the Liberty of *London* and Counties adjacent, and for sending some Ships of War and 2000 Men into *Hull*) were removed from their Lieutenancies of *Kent* and *Northamptonshire*; altho' they had, both, concurred with the Majority in almost all their former Proceedings, and the latter had executed the Parliament's *Ordinance* for the *Militia* with great Vigour.—The Earl of *Peterborough* was appointed Lord Lieutenant of *Northamptonshire*, and the

Alterations in the Lieutenancies of Counties.

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 August. the Earl of *Leicester* was succeeded in *Kent* by the Earl of *Pembroke*. By this Addition of Power the last named Earl was, at one and the same Time, Lord Lieutenant of *Wiltshire*, *Hampshire*, the Isle of *Wight*, *Kent*, and the Shires of *Monmouth*, *Brecon*, *Glamorgan*, and *Caernarvon*.

The same Day the Lords agreed to the following Form of an *Oath*, which the Commons had sent up to them, as necessary to be propounded to the Officers to be raised under the Command of the Earl of *Essex*:

Oath to be taken
 by the Officers of
 the Parliament's
 Army.

I A. B. chosen to be an Officer in the Troops now raised by Ordinance of Parliament, under the Command of the Earl of *Essex*, do hereby vow, promise, and protest, in the Presence of Almighty God, that, in this Employment and Service, I will defend, maintain, and obey the two Houses of Parliament; and, in pursuance of their Direction and Command, the Right Honourable Robert Earl of *Essex*, as Captain-General of all the Forces raised, and to be raised, for the Defence of the Protestant Religion, the King's Person, Honour, and State, the Power and Privileges of Parliament, and the just Rights and Liberties of the Subject, and the Security and Peace of the Kingdom; and will, to the utmost of my Power, oppose, resist, and subdue all Force raised against them, by Pretence or Colour of any Commission or Warrant whatsoever.

August 5. The Lords were informed by the Commons, at another Conference, That the Lord Marquis of *Hertford*, Sir *Ralph Hopton*, Captain *John Digby*, and several other Gentlemen, were come into the *West of England*, in order to put the King's Commission of *Array* in Execution, by Force: That the Commons had expelled Sir *Ralph Hopton*, and the rest of their Members concern'd in this Affair, and had sent for them as Delinquents; and left it to their Lordships Consideration what to do with theirs.

An

An intercepted Letter from the Marquis of Hertford to the Queen was read as follows ;

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Madam,

I Am now embolden'd by your Majesty's Commands to give you the Trouble of a few Lines, which, formerly, I have done with some Scruple, fearing to intrench too much on your Majesty's Patience. His Majesty's Affairs are now, I hope, in a prosperous Way, and the Affections of his People break out every Day more and more ; who begin to have their Eyes open, and will, I believe, be no longer deluded with imaginary Fears and Jealousies.

An intercepted Letter from the Marquis of Hertford to the Queen.

The King takes his Journey To-morrow towards Lincolnshire, invited thereunto by a great Number of the best Gentlemen of that County. The Prince goes with him ; but his Majesty has commanded me to return to York with the Duke, where he is to remain till the King comes back, under the Charge of the Lord Dorset ; because, by his Majesty's Commands, I am, with all Speed, to repair to the West to put his Commission of Array in Execution ; which I make no doubt to perform without any great Difficulty, if God prosper us, as I trust he will in so good a Cause. We shall then shortly, I hope, be blest and cheared up with your Majesty's long-wish'd for Presence, and, Hey then, down go they ; and, to our greater Encouragement, Sampson is come over to us.

Madam, your Majesty may perceive that I hope well, that I presume to be thus merry with you ; but, I hope, you will pardon it, with all the other Errors and Presumptions of,

Madam,

Your Majesty's most humble,

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most faithful, and

most obedient Servant,

HERTFORD.

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The Lords ordered, That the Lord Marquis of *Hertford*, with the Lords *Pawlet* and *Seymour* should be sent for as Delinquents, for using Force, to the Terror of the People, in putting the *Commission of Array* in Execution; and that the Sheriffs do apprehend them; the Lord Lieutenants and Deputy-Lieutenants to be aiding and assisting therein.

Further Proceedings in the Lord Mayor's Defence.

They next proceeded in the Lord Mayor's Trial, and his Counsel began to make his Defence to the fifth Article of the Charge; which was, That the Lord Mayor refused to call a Common Council for the stowing the Magazine, according to an *Order* of Parliament. He said,

'That whereas there was an *Order* mentioned in the Charge, *June 21.* he alledged there was no such *Order* made, nor no such Contempt shewn. The *Order* of the 13th of *January* being only to call a Common Council, &c. and no Members of the House of Commons came to the Lord Mayor's House concerning it. That the Lord Mayor, without a Court of Aldermen, cannot call a Common Council. That it was called *pro Communi Commoditate*: That every Citizen was interested in it; and that every Commoner might present what they would to them.' He then produced a Copy of a Grant, 15. *Edward III.* but this being only in a Book, the Lords would not admit it to be read, but only the Charter of the City.

Mr. *Moss* deposed, 'That he had been a Clerk in the City's Court ever since the Year 1599: That he had observed it to be the common Use, before a Common Council be called, that the Matter was debated; and an *Order* made that, such a Day, the Common Council shall be called.'

Mr. *Mitchel* said, 'A Common Council had always been ordered by a Court of Aldermen, till of late, within a Year or two, it hath been by *Order* of Parliament.'

The Counsel added, 'That the Lord Mayor heard not of the *Resolution* of Parliament till the 6th of *July*; and concluded with a Desire, That
if

if any Thing new came out, they might be heard again; if not, he referred the Business to their Lordships Consideration.

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Ordered, That the Reply of the House of Commons shall be heard on the ninth Instant.

August 8. The Lords sent a Message to the Commons to desire a Conference concerning a *Petition* from some Noblemen, Knights, and Gentlemen of the County of *York*, which had been presented and read in their House. This *Petition* being already given in the Proceedings of the 26th of last Month, we have only to add, That a Conference was held this Day accordingly; and it is plain that the *Petition* offended both Houses extremely, since we find, in the *Commons Journals*, this Censure pass'd upon it.

Sir *John Evelyn* told the House, 'That the Lords Opinion of it was, That this was one of the highest and most insolent *Petitions* that ever came to the Parliament; and are resolved to have Justice done upon those Persons, that did thus challenge and defy the Parliament. They made no Doubt but that a Party would be there found to make that Country too hot for them. They likewise desired it might be referred to a Committee, to consider what was fit to be done thereupon.'

The late York-shire *Petition* censured.

Soon after Mr. *Pymme* reported from the Committee for the Defence of the Kingdom, 'That an *Ordinance* was made to pass both Houses, for the Lord Lieutenants to raise Forces in Counties to oppose those traitorous Persons that are against the Parliament, and with them to fight;' which was read and agreed to.

The same Day another *Ordinance* was pass'd for appointing Sir *Henry Vane, Jun.* to be Treasurer of the Navy: The Earl of *Essex* was, also, appointed Lord Lieutenant of the County of *Hereford* instead of the Lord *Dacres*; and Lord *Say* and *Sele* of *Gloucestershire*, in the room of Lord *Chandois* who had joined the King, and since executed his Majesty's Commission of *Array* in that County.

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August 9. The Lords resumed the Trial of the Lord Mayor of *London*: He being brought again to the Bar, and the Committee of the Commons being come, Serjeant *Wylde* began to open the Reply, but was stopped by the Prisoner's Counsel, who desired that some Part of the Charter of *London* might be read, which was offered the last Time; intimating, That the Lord Mayor and Aldermen, with the Consent of the Common Council may vote; which being done, the Serjeant proceeded and said,

‘That whereas it had been insisted on, That the Charge against the Lord Mayor was too general and uncertain, this House, being the highest Court, was not bound to the Formalities of the inferior Courts. That the Lord Mayor ought to take Notice of the Law, in all Cases; *Proclamations* cannot alter the Law. And, as to the three *Petitions* in the second Charge; these three are but one, with some few Alterations. And as to the third Charge, about the Riot in *Cheapside*; and the other, the not calling a Common Council, he said nothing to the former; but the Common Council in *January*, he urged, was called by Command of the King and held in the Morning; but that which was appointed by the Court of Aldermen, in the Afternoon. *Lastly*, he concluded, somewhat abruptly, in saying, That the House of Commons desired to be disburdened of this Lord Mayor, and that he might be punished.’

August 10. The Lords took into Consideration the Evidence given against the Lord Mayor of *London*, upon the Impeachment of the Commons. And, after mature Deliberation of the whole Matter, whether it be fit or safe that he be Governor of the City at this Time, they came to the following *Resolutions*.

Resolved, upon the Question, ‘That the Lord Mayor caused the illegal *Proclamation*, for the Commission of Array, to be published.’

Rs.

Resolved, &c. 'That the *Petition*, charged in the An. 18. Car. I. Impeachment to be sent to the King, was by the Lord Mayor's Procurement.' 1642.

Resolved, &c. 'That the Lord Mayor did not suppress the Riot; but did countenance it.'

Resolved, &c. 'That the Lord Mayor did refuse to call a Common Council at the Time both Houses of Parliament did command him to do it.'

These Matters of Fact being *resolved*, the Lords gave the following Sentence on him:

1. That Sir Richard Gurney, *Knt. and Bart.* The Sentence Lord Mayor of the City of London, shall be deprived of that Office. passed upon the Lord Mayor.

2. That he shall, hereafter, be incapable of holding any Office in the City.

3. That he shall be incapable to bear or receive any further Honour hereafter.

4. That he shall be imprisoned in the Tower of London during the Pleasure of this House.

This Sentence against the Lord Mayor was pronounced, with the usual Ceremony, by the Lord Kimbolton.

The same Day the Commons, after reading some Letters of Intelligence from *Devonshire* and *Cornwall*, expelled several more Members of their House; who, with others, were sent for up as Delinquents.

August 11. A Letter came from the King, this Day, directed to the Speaker of the House of Lords, with a *Proclamation* inclosed, commanding that it should be read; which was done accordingly:

The *Proclamation* had this Title, *For suppressing the present Rebellion, under the Command of Robert Earl of Essex; and the gracious Offers of his Majesty's free Pardon to him and all such his Adherents, as, within six Days after Date hereof, should lay down their Arms.* The King proclaims the Earl of Essex, and his Adherents Rebels. Dated at the Court at York, August 9. 1642.

After this was read, the Earl of *Essex* stood up and said, 'That he was made General by the De- Vol. XI. A a fire,

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A Conference
thereupon.

I. fire, Command, and Authority of both Houses of Parliament, and not of his own seeking; and he protested, that his Actions should shew him as dutiful a Subject as any the King had.

The Lords took this Matter to be of high Concernment, as the Threatening and Proclaiming of both Houses of Parliament Rebels; and *resolved* to have a Conference with the Commons about it presently. This Conference was held the same Day, and the Report of it made in the House of Commons, by Sir Robert Harley, was to this Effect:

‘The Lord Kimbolton said, That the Lords desired this Conference to acquaint the Commons with a *Letter* and a *Proclamation* they had received from the King: That there needed no Language to it; if there had, the Lords would have chosen a better Speaker; but the Words gave Advantage sufficient, which he was to read unto them, and then give the Sense of the Lords upon it.’ After the *Letter* and *Proclamation* were read, his Lordship proceeded and said, ‘There needed no great Expression to make them sensible of this *Proclamation*; they heard the Earl of *Essex* was proclaimed a Traitor, and all Commanders under him, and all that adhered unto them; and, in those, the Parliament and the honest Party of the Kingdom were proclaimed Traitors: That these were big Words of Terror; but the Lords had well considered the Grounds before they entered into this Action; which was for the Maintenance of the Law, Religion, Liberty of the Subject, and Privilege of Parliament: Upon which Grounds they commanded him to let them know, That, with one Consent, they resolved to go on with yet greater Vigour than before.’

The Earl of *Essex* spoke next, at the Conference, and said much the same as he had before to the Lords, except adding, ‘That he was as ready to adventure his Life for Defence of the Law, as the other great General for the Breach of it.’

After hearing this Report, the Commons immediately *voted*, ‘That whereas the Parliament had formerly chosen the Earl of *Essex* to be Captain-
Ge.

General of such Forces as were or should be raised, for the Maintenance and Preservation of the true Protestant Religion, the King's Person, the Laws of the Land, the Peace of the Kingdom, the Liberty and Property of the Subject, and the Rights and Privileges of Parliament; this House doth now declare, That they will maintain and assist him, and adhere unto him, with their Lives and Fortunes, in the same Cause.

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The Parliament resolve to support them with their Lives and Fortunes.

A Memorandum is enter'd, That when this Question was put, every Man rose up in his Place, one after another, and gave a distinct Answer to it. And it was resolved, That such Members as were absent should also declare themselves, from Time to Time, at their coming into the House.

August 13. This Day Sir Robert Harley, Knight of the Bath, brought up to the Lords an Impeachment of the Commons against William Marquis of Hertford, Spencer Earl of Northampton, and Henry Hastings, Esq; second Son to the Earl of Huntingdon, for High Treason, in actually levying War against the King and Kingdom; and desired that speedy Proceedings might be had against them, according to Law and Justice.

The Marquis of Hertford, &c. impeached of High Treason by the Commons.

On this the Lords directed a Proclamation, and Writs to be sent out to the Sheriff, to summon the said Lords to appear at the Bar of the House on the 29th Instant, to answer to this Impeachment, *sub Poena Convictionis*.

So many People of Quality, and others, had been sent for, as Delinquents, by the House of Lords, about this Time, that their Gentleman-Usher's Bill, for Messengers, &c. the Particulars of which were given in this Day, amounted to above 600 l. at, seemingly, very moderate Rates.

A Declaration and Resolution of Parliament, in answer to the King's late Proclamation against the Earl of Essex, &c. was this Day read and agreed to by both Houses; wherein they solemnly profess,

A a 2

That

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The Parliament's
Answer to the
King's last Pro-
clamation.

'That they will really endeavour to make both his Majesty and his Posterity as great, rich, and potent; as much beloved at home and feared abroad as any Prince that ever swayed the *British* Sceptre, on Condition that he will immediately disband all his Forces; abandon and leave to condign Punishment his wicked Counsellors; (who have now advised and prevailed with his Majesty, by this *Proclamation*, to invite his Subjects to destroy his Parliament and good People by a Civil War; and, by that Means, to bring Ruin, Confusion, and perpetual Slavery upon the surviving Part of a then wretched Kingdom) and return and hearken to the wholesome Advice of his Parliament.' (r)

His Majesty for-
bids all Recusants
from joining his
Army.

The same Day the King issued out another *Proclamation*, declaring his Majesty's express Command, That no *Popish Recusant*, nor any other who shall refuse to take the two Oaths of Allegiance and Supremacy, shall serve him in his Army; and that the Soldiery commit no Rapines upon the People, but be fitly provided with Necessaries for their Money.

And publishes a
Declaration to
the People against
the Parliament.

Two Days after the King published a *Declaration* to all his loving Subjects, concerning the Proceedings of this present Parliament, dated Aug. 12. 1642. In this Piece 'His Majesty recapitulates every remarkable Circumstance, from his first Resolution of summoning this Parliament; represents to the People all that he had done, and endeavoured, in favour of his Subjects, and to satisfy the Desires of his Parliament; and displays, in the strongest Light, the ungrateful Returns he had met with from them, &c.' But this Piece we are obliged, on account of its excessive Length, to pass over with a Reference; which we are the rather inclined to do, since we do not find any *Answer* to it was ever published on the Part of the Parliament. (s)

August

(r) This *Proclamation* at Length, with the Parliament's *Answer* to it, is in *Rushworth*, Vol. IV. p. 769, and *Husband*, p. 503.

(s) This *Declaration* may be found at large in *Husband's Collections*, from p. 514 to 562, and in the *Folio* Edition of the King's Works, Vol. II. from p. 134, to 194.

August 16. The House of Commons received the An. 18. Car. 1.
following *Message* from the King, dated from the 1642.
Court at York the 13th of this Month :
August.

HIS Majesty taking Notice of an *Order* lately made by the House of Commons, whereby that House hath unduly assumed to themselves Authority to order, direct, and dispose of 100,000*l.* (Part of those Monies, which the Adventurers for the reducing of the Rebels of *Ireland* have paid to that End and only to that Purpose) to other Uses and Intents, contrary to the expresse Words of the Act of Parliament concerning the same ; wherein it is enacted, *That no Part of the Money which should be paid in, according to that Act, shall be employed to any other Purpose than the Reducing of those Rebels, untill they shall be declared to be subdued ;* out of his Piety and Princely Care for the Confirming and Re-establishment of God's true Religion in that his Kingdom of *Ireland*, for the Relief of his distressed Subjects there, for the Suppressing of that horrid and bloody Rebellion, and for the Supply and Payment of his Army there, now in great Want and Necessity, doth strictly require the House of Commons, as they will answer the Contrary to Almighty God, his Majesty, and those that have trusted them, That they immediately retract that mischievous, illegal, and unjust *Order*, wherein his Majesty expecteth their speedy Answer and Obedience : And the rather that he may, thereby, be secured, that such Part of the 400,000*l.* as is, or shall be, collected from his good Subjects of *England*, by virtue of the late Act of Parliament, whereby the same is granted, may not likewise, under false Pretences, be diverted from its proper Use for which it was intended ; and misemployed, to the Disturbance of the Peace of this Kingdom, in a War against his Sacred Majesty.

Soon after the following *Answer* of the House of Commons to this *Message* was, by them, ordered to be printed and published.

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Their Answer to
the King's
Charge.

THE House of Commons having received a *Message* from his Majesty of the 13th of *August* last, whereby they are required to retract an *Order* made by them, for the Borrowing of 100,000*l.* of the Adventurers Money for *Ireland*, supposing that *Order* very prejudicial to the Affairs of *Ireland*, and contrary to an Act of Parliament made this present Session; do, in the first Place, declare, That these Directions given by his Majesty, for the retracting of this *Order*, is an high Breach of the Privilege of Parliament: And that they cannot, without a deep Sense of Sorrow, call to Mind how *Papish* and *Prelatical* Counsels did so far prevail with his Majesty, that two Armies were brought within the Bowels of this Kingdom, and two *Protestant* Nations ready to welter in each other's Blood: That when both those Armies had been a long Time defrayed at the Charge of the poor Commons of *England*, and, at length, by God's Blessing upon the Endeavours of the Parliament, quietly disbanded, the same wicked Counsels, prevented of that Design, did soon after raise this bloody and barbarous Rebellion in *Ireland*: The Suppressing whereof, for the better Colour, was recommended to the Care of the Parliament; who, out of a Fellow-feeling of the unspeakable Miseries of their *Protestant* Brethren there, (not suspecting this horrid Plot, now too apparent) did chearfully undertake that great Work; and do really intend and endeavour to settle the *Protestant* Religion, and a permanent Peace in that Realm; to the Glory of God, the great Honour and Profit of his Majesty, and Security of his three Kingdoms: But how they have been discouraged, retarded, and diverted in and from this pious and glorious Work, by those traiterous Counsels about his Majesty, will appear by many Particulars, some whereof they shall, upon this just Occasion, call to Remembrance.

That when the Lords and Commons had, upon the first breaking out of the Rebellion, immediately

diately provided and sent over 20,000*l.* and engaged themselves and the whole Kingdom for the reducing of the Rebels: Yet his Majesty, after his Return from *Scotland* to *London*, was not pleased, either by Word or Message, to take Notice of it, untill after some in the House of Commons had truly observed how forward those mischievous Counsellors were to incite his Majesty against his Protestant Subjects of *Scotland*, and how slow to resent the Proceeding of his *Papist* Traitors in *Ireland*.

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That although the Rebels had most impudently stiled themselves *The Queen's Army*, and profess'd that the Cause of their Rising was, to maintain the King's Prerogative and the Queen's Religion, against the *Puritan Parliament* of *England*; and that thereupon both Houses of Parliament did, humbly and earnestly, advise his Majesty to wipe away this dangerous Scandal, by proclaiming them Rebels and Traitors to his Majesty and the Crown of *England*; which then would have mated (1) and weakened the Conspirators in the Beginning, and have encouraged both the Parliament here, and good People there, the more vigorously to have opposed their Proceedings: Yet such was the Power of those Counsels, that no *Proclamation* was set forth to that Purpose, untill almost three Months after the Breaking out of this Rebellion; and then Command given that but forty should be printed, nor they published till further Directions should be given by his Majesty.

That after both Houses of Parliament had found out a probable Way to reduce the Kingdom of *Ireland*, by the Adventure of private Men, without any Charge to the Subject in general; and which, they are very confident, would have brought in a Million of Money, had his Majesty continued in or near *London*; those malicious Whisperers, that durst not hinder the Passing of the Bill, which was so specious in itself and so generally approved, yet have, by Practice, by

drawing

(1) Subdued or conquer'd.

Spencer.

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August.

‘ drawing his Majesty from his Parliament, by
 ‘ keeping him at this Distance, and advising him
 ‘ to make War upon his People, so intimidated and
 ‘ discouraged the Adventurers, and others that would
 ‘ have adventured, that they have rendered that
 ‘ good Bill in a Manner ineffectual.

‘ That the Parliament and Adventurers had,
 ‘ long since, designed 5000 Foot and 500 Horse
 ‘ for the Relief of *Munster*, to be sent as a Brigade,
 ‘ under the Command of the Lord *Wharton*; had
 ‘ made Choice of and listed all the Commanders,
 ‘ and prepared Money, Arms, and other Provision
 ‘ for that Expedition, and all to be at the Charge
 ‘ of the Adventurers: And when nothing was
 ‘ wanting but a Commission to the Lord *Wharton*,
 ‘ to enable him for that Service, such was the Power
 ‘ of those Counsels, that no Commission could be
 ‘ obtained from his Majesty; by reason whereof
 ‘ *Limerick* was wholly lost, and the Province of
 ‘ *Munster* is now in very great Distress.

‘ That when divers pious and well-affected Per-
 ‘ sons had prepared twelve Ships and six Pinnaces,
 ‘ with 1000, or more, Land Forces, at their own
 ‘ Charge, by way of Adventure, for the Service of
 ‘ *Ireland*, and desired nothing but a Commission
 ‘ from his Majesty to enable them thereunto; that
 ‘ Commission, after twice sending to *York* for the
 ‘ same, and the Ships lying ready to set Sail for
 ‘ three Weeks together, at the Charge of near 300*l*.
 ‘ a Day, was likewise denied; and those Adven-
 ‘ turers, rather than lose their Expedition, were
 ‘ constrained to go by virtue of an *Ordinance* of
 ‘ both Houses of Parliament.

‘ That although the Lords Justices of *Ireland*
 ‘ have, three Months since, earnestly desired to
 ‘ have two Pieces of Battery sent over, as very ne-
 ‘ cessary for that Service; yet such Commands are
 ‘ given to the Officers of the *Tower*, that none of
 ‘ his Majesty’s Ordnance must be sent to save his
 ‘ Majesty’s Kingdom.

‘ That altho’, whilst the Earl of *Leicester* staid
 ‘ here in the Service of the Parliament, and in pro-
 ‘ viding

viding for his long-expected Voyage into *Ireland*,
 a *Message* was sent to the Parliament from his
 Majesty, to hasten him away; and Letters were
 written to the said Earl from his Majesty, that he
 should make no Stay at *York* for his Dispatch,
 but that his *Instructions* should be ready for him
 against he came; and although it is notoriously
 known that the Affairs of *Ireland* do exceedingly
 suffer by wanting the personal Assistance of a
 Commander in Chief, to give both Life and Mo-
 tion to the Army there: Yet the said Earl hath
 been stayed with his Majesty, in the *North*, a
 Month and more, and, as yet, can get no Dis-
 patch,

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That, notwithstanding the bleeding Condition
 of *Ireland*, yet divers Commanders and Officers
 in Pay, and in actual Employment there against
 the Rebels, have been called away from that im-
 portant Service, by the express Command of his
 Majesty; as *Charles Lloyd*, Engineer and Quarter-
 master-General of the Army in *Ireland*, and di-
 vers others.

That Captain *Green*, Comptroller of the Ar-
 tillery, a Man in Pay, and principally employed
 and trusted here by the Lord-Lieutenant of *Ire-
 land*, for the providing and ordering the Train of
 Artillery which was to be sent to *Dublin*, and
 who had received great Sums of Money for that
 Purpose, was commanded from that Employment
 and Trust, to serve his Majesty in this most un-
 natural War against his loyal and best-affected
 People.

That the Parliament having made great Provi-
 sion of Cloaths for the poor Soldiers in *Ireland*,
 for their present Succour, and sending 600 Suits,
 Part thereof, towards *Chester*, the last Week; the
 Man that undertook the Carriage of them, one
William Whitaker by Name, was assaulted by his
 Majesty's Cavaliers, then lying about *Coventry*;
 who took away these 600 Suits of Cloaths, and
 the Waggon and Horses of the poor Man, altho'
 they were told that the 600 Suits of Cloaths were
 for

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for the Soldiers in *Ireland*; and notwithstanding the poor Carrier was, five Times; with the Earl of *Northampton*, to beg a Release of his Waggon.

That 300 Suits of Cloaths, with a Chirurgeon's Chest of Medicaments, being likewise sent for *Ireland* by one *Richard Owfield*, who was employ'd by the Parliament to carry them to *Chester*; a Troop of his Majesty's Cavaliers, under the Command of one Captain *Middleton*, met with them upon the Road, and took away the Cloaths and Chirurgeon's Chest, together with the poor Carrier's Horses and Waggon, for his Majesty's pretended Service here.

That a great Number of Draught Horses, prepared by the Parliament for the Artillery and Baggage of the *Irish* Army, were sent to *Chester* for that Purpose; and being there, attending a Passage, are now required by his Majesty for his said present Service in *England*.

That his Majesty's Forces are so quartered in and about the common Roads to *Ireland*, that neither Money, Cloaths, Victuals, or other Provision, can pass thither by Land with any Safety.

That Captain *Kettleby* the Admiral, and Sir *Henry Stradling* the Vice-Admiral, of the Ships which were directed to lie upon the Coast of *Ireland*, to annoy the Rebels, and to prevent the bringing to them Ammunition and Relief from foreign Parts, are both called away from that Employment, by his Majesty's Command; and, by reason of their Departure from the Coast of *Munster*, to which they were designed, the Rebels there have received Powder, Ammunition, and other Relief from foreign Parts; by which, and many other Particulars too long to relate, it may seem as if those barbarous *Irish* Rebels are kept on foot and countenanced there, of Design to assist the *Northern* Cavaliers; and, according to the Earl of *Strafford's* unheard-of Advice, to have an *Atty* in *Ireland*, with which his Majesty may reduce this Kingdom; especially considering those confident Rebels have presumed, very lately, to send

‘ send a *Petition* to his Majesty, intitling themselves
 ‘ his Majesty’s *Catholic Subjects* of *Ireland*, and
 ‘ complaining of the *Puritan Parliament* of *En-*
 ‘ *gland*; and desiring, that since his Majesty comes
 ‘ not thither according to their Expectation, that
 ‘ they may come into *England* to his Majesty;
 ‘ which *Petition*, we may justly fear, is but a Pro-
 ‘ logue to that Tragedy they have designed to act
 ‘ here, in case their Coming over be not prevented
 ‘ by the Care and Vigilancy of the Parliament and
 ‘ the good People of *England*. But lest the House
 ‘ of Commons might excuse the making of this
 ‘ *Order* by way of Recrimination, they, for Sa-
 ‘ tisfaction to the World, do protest before Al-
 ‘ mighty God, the Searcher of all Hearts, That
 ‘ they have as great Compassion and Sorrow for
 ‘ the present Sufferings of their distressed Brethren
 ‘ in *Ireland*, as if themselves were in their Case;
 ‘ (into which they are confident those horrid Trai-
 ‘ tors, those Monsters of Men about his Majesty,
 ‘ do labour to bring this Kingdom) that they have,
 ‘ and shall ever really endeavour, by all possible
 ‘ Means, with a due Regard to the present State
 ‘ of this Kingdom, to supply and support them in
 ‘ this their great Affliction, notwithstanding the
 ‘ Malice and Obstructions of all Opposers.

‘ That the House of Commons, lively apprehend-
 ‘ ing the imminent Danger of this Kingdom, and
 ‘ finding that whilst they were active here to sub-
 ‘ due the Rebels of *Ireland*, there were *Papists*,
 ‘ Traitors, and Delinquents, more active in the
 ‘ *North*, to conquer and destroy the Parliament
 ‘ and good People of *England*, thought it necessary
 ‘ to provide for the Safety of both, by preparing a
 ‘ competent Army for the Defence of King and
 ‘ Kingdom: And altho’ Multitudes of well-affected
 ‘ Persons had chearfully brought in great Store of
 ‘ Plate for that Purpose, yet in regard the Plate
 ‘ could not be coined with such Expedition as the
 ‘ Importance of the Service did require; and well
 ‘ knowing that 100,000 *l.* might, for a short Time,
 ‘ be borrowed out of the Adventurers Money for
 ‘ *Ire-*

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‘ *Ireland*, without any Prejudice to the Affairs of
‘ that Kingdom, whose Subsistence depends upon
‘ the Welfare of this; and, resolving to make a real
‘ and speedy Repayment of what Money should be
‘ so borrowed, did make this *Order*; which, that
‘ it might appear to all the World to be neither
‘ mischievous, illegal, nor unjust, (as his Majesty,
‘ by the Instigation of those malignant Whisperers,
‘ is pleased to term it) the House of Commons
‘ thought fit to recite it *in hæc Verba*; and, instead
‘ of retracting the *Order*, to repay the Money with
‘ all possible Speed.

July 30, 1642.

*It is this Day ordered by the Commons House of
Parliament, That the Treasurers, appointed to receive
the Monies come in upon the Subscription for Ireland,
do forthwith furnish, by Way of Loan, unto the Com-
mittee of Lords and Commons, for the Defence of the
Kingdom, the Sum of 100,000 l. for the Supply of the
Public Necessity, for the Defence of the King, Parlia-
ment and Kingdom, upon the Public Faith; to be re-
paid, duly and carefully, within so short a Time that it
shall not be diverted from the Purpose for which it
was intended, or any Way frustrate the Acts already
made in the Behalf of that Adventure.*

‘ By which *Order*, and that which hath been here
‘ truly set down, it will easily appear to all indifferent
‘ People of his Majesty’s three Kingdoms, whether
‘ the King and his *Cavaliers*, or the King and his
‘ *Parliament*, do most affect and endeavour the Set-
‘ tling of true Religion, and a firm and constant
‘ Peace within that bleeding and distressed Kingdom.

The House of Lords had been busy, for several
Days, with a Multiplicity of Things, most of them
tending to warlike Preparations; having received In-
telligence, That the King would set up his *Stand-
ard* on the twenty-second of this Month, and
would then march forward.

August

August 18. The Lord Kimbolton reported the Effect of a Conference, held Yesterday with the House of Commons, about Affairs in *Yorkshire*: When a Letter was read, directed to Sir *Philip Stapylton*, Member of Parliament for *Boroughbridge*, as follows:

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York, August 13. 1642.

S I R,

THE State of Affairs in this County is of so high Importance to the general Good of the whole Land, as we conceive them requisite to be represented to the Houses of Parliament; and to receive Directions, from thence, as may guide the well-affected Subjects in such Ways as conduce to the Establishment of Peace here and elsewhere: And, to that End, the Committee, when they returned to the Parliament, promised frequent Intercourses; and that those, who should be employed from hence upon such Occasions, should find a good Reception. The Gentlemen of the County, having met here at York, this Day and Yesterday, did resolve it necessary to send the Bearer hereof with a View of the present Condition of this Country, which they desire you to make known to the House as you shall find it necessary.

A Letter concerning the State of Affairs in *Yorkshire*.

His Majesty hath now withdrawn all his Forces from Hull and Beverley, and sent most Part of his Horse towards Newark and Nottingham; intending to set up his Standard at Nottingham on the 22d of this Month: And, by Proclamation, commands all Men's Attendance on his Person; as the Proclamation, which the Bearer will deliver, doth more fully inform.— His Army, at this present, consists especially of Horse, which are intended to be about 4000, in several Regiments; in which Number, we conceive, are not included the 400 Horse, which certain of the Gentry of *Yorkshire* promise to raise, nor the Train of the Court estimated at 500 Horse: For Foot-Forces here are very few visible, and those of the Scum of the Country, being raised by beating Drums for Volunteers: Yet it is said, that the Proportion is 13,000 Foot, though, in Discourse, they declare as if 5000 Foot will be sufficient for the Design; but what

it

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it is, or against whom, we know not, otherwise than that it is expressed, in the Proclamation, for raising the Standard: For if it were in Defence of the Protestant Religion, the Laws of the Land, and the Privileges of Parliament, so often repeated, we conceive the Papists, who hate them all, would not so much rejoice, and shew themselves so forward to assist the Service; nor make so frequent Resort, as now they do, into these Parts from Ireland, Lancashire, and all Parts of Yorkshire: And, besides, we observe the King hath sent out Warrants to call to the Service all Recusants Horse and Arms; and many Recusants, to make themselves capable of Commands, do resort to Church.

It is given out, that the King goes Southward on Tuesday next, tho' of that we can write no Certainty: But, whensoever he goes away from hence, he leaves the Earl of Cumberland to govern these Northern Counties; with Authority to raise Forces for Defence of them, and a Council of War to assist; to terrify the Subjects, and constrain Obedience to his Government. It is to be accompanied with a Commission of Oyer and Terminer, and this Government and Council are to reside at York.

You have already heard how the Gentry of this County were summoned to appear before his Majesty, at York, the fourth of this Month; where his Majesty made certain Propositions to them which you have since seen in Print: Whereupon the Earl of Cumberland, Lord Saville, Lord Fauconberg, all or most of the Commissioners of Array, and divers other Gentlemen of the County, met in the Deanry at York; and there framed the Petition sent up by Mr. Jackson and Mr. Maude to the Parliament: Which, tho' it was carried then with much Secrecy, yet is now divulged; and disliked by a great Number of the Gentry of this County, who will protest against it in Writing so soon as they can meet with a Convenience: Yet they which framed it resolve to maintain it, and hold Meetings and Consultations at the Deanry at York; where they treat of Matters of dangerous and high Consequence, and contrary to the Laws of the Land and the Liberty of the Subject; that is to say,

To

To join in Associations with other neighbouring Counties, to maintain the Petition aforesaid, and to raise an Army of Horse and Foot, for Defence of the County, under the Command of the Earl of Cumberland, to be laid about York, and to be paid by the Country.

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To obtain of the King an able Soldier to command in this Army, under the Earl, to whom they intend the Country shall allow Entertainment; to constrain all Persons to contribute to the Charge of this Army, and to distrain upon such as refuse it.

And, to disable the Subjects to oppose or defend themselves against this Oppression, they intend to disarm and imprison all such Gentlemen as shall not consent with them; and they have especially designed to imprison a great Number of Gentlemen, who they suppose will give Opposition to their Trained Bands, in every Regiment; and intend to disarm more of them where they find Danger of Opposition: Sir John Mallory, for his Regiment, hath already caused both Money to be furnished to his Soldiers by the Constables, and Arms to be taken from the People.

These Propositions and Consultations, which are generally spoken of, do not a little perplex the well-affected Subjects; and their Fears increase by divers particular Affronts, and Attempts made upon the Gentry of this County, by the Troops and others of the King's Army; as the pillaging of divers Gentlemen's Houses about Hull, and plundering Sir Henry Cholmley's House, near Selby, on Sunday last; and Mr. George Marwood's House, near Knaresbrough, twelve Miles from York, on Wednesday last: In this of Mr Marwood's we will relate some Particulars, for your better Information:—It was done in the Day Time, and by twenty-four Horse or thereabouts; Part staid beyond the Nid running close by the House, Part entered the House, and others kept Watch that none should come to hinder their Attempts: They threatened Mrs. Marwood and her Servants with Death, to discover where her Husband was; and swore they would cut him in Pieces before her Face, and called her Protestant Whore, and Puritan Whore; they
searched

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searched all the House, broke open seventeen Locks, and took away all the Money, being about 120l. and all his Plate they could find; and pretended they had the King's Warrant for their so doing, which the King disavows; and his Majesty is very much offended to have his Name so abused, and threatens to have them all hanged if they be discovered: And though it be Mr. Marwood's Lot to suffer first, yet the loose People threaten to pillage and destroy all the Round-Heads, and name some particular Persons; under which foolish Name, Round-Heads, they comprehend all such as do not go their Ways. (u)

These Beginnings and Preparations of Misery are necessary to be made known to all the Kingdom, that the good Subjects may stand upon their Guard; for though we may assure ourselves that the King will endeavour to preserve us, yet we find it is impossible to restrain the Malice and Rage of bloody Papists and faithless Atheists; and, in Time, these Mischiefs will approach other Parts, though, for the present, we, only, lie in the Mouth of Danger.

Now towards the Redress of these growing Evils, securing the Peace of this County, and Preservation of those peaceable Subjects intended to be disarmed and left naked to the Fury of every malicious Adversary, we offer to your Considerations the Propositions following, viz.

That an Order be conceived in Parliament, and declared, that all the Kingdom may take Notice of it, to this Effect:

That all well-affected and good Subjects, that shall be plundered, pillaged, or suffer in their Estates by any of the Cavaliers, or other Forces raised without Consent of Parliament, shall have full Reparation of their Damages out of the Estates of such Persons of Wealth and Quality, whose Fortunes, being in the South, do now reside in Yorkshire; and who with their Presence

(u) In the foregoing Month is the first Instance we meet with of the Royalists being distinguished by the Name of Cavaliers; and this is the first of the Parliament's Party being called Round-Heads. But these Words soon after grew as frequent in the Times we are now upon, as those of Whig and Tory in our own.

ence and Assistance, do countenance and further these Distempers of the Kingdom, and the Mischiefs that do happen, and are like to increase.

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That there may be speedily sent to Hull, a sufficient Proportion of Powder, Arms, Ordnance, and other Ammunition, with an Order to furnish the Country with them as there shall be Occasion; especially such as shall be disarmed upon the Consultations held in the Deanery at York.

That Commissions be speedily sent down from the Earl of Essex, Lord Lieutenant of this County, to the Gentlemen named in this inclosed Paper, or such of them as the House shall elect for the present, to raise and command the Forces of this County, for suppressing of any Insurrection and unlawful Tumults that may happen to arise.

That the Sheriff be commanded, by special Order of Parliament, to conduct and assist as the House conceives fitting.

This List of Gentlemen for commanding the Country Forces is not intended to disappoint any of Trust or Command, who are already nominated and intrusted by the Parliament; nor are they intended to be continued longer than untill some other Provisions, by an Act, be concluded on by the King and Parliament for settling and ordering the Militia.

And, lastly, it is the Desire of the well-affected in this County to receive weekly Advertisements from thence, by some specially employed for that Purpose, untill Affairs be so settled as we may safely confide in the ordinary Post; for now we neither rightly understand the Proceedings of the House, nor can we represent to them such Matters as concern the Peace of this County.

All which we hope you will be pleased to represent to the House, as the unanimous Considerations of a great Number of the Gentry of this County. And we remain

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Your affectionate, &c.

P. S. The Grand Jury, this Assizes, consist for the most Part of such as give us Cause to suspect that there

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is some extraordinary Business to be presented; but of this the Sheriff excuseth himself, and saith the Pannel, returned by him, was viewed and corrected by the Judge a Fortnight before the Assize.

The Lord Kimbolton further reported, ' That the House of Commons offered to their Lordships Consideration, a *Proclamation* from the King, requiring the Aid and Assistance of his Majesty's Subjects on the North Side Trent, and within 20 Miles Southward thereof, for the suppressing of the Rebels now marching against him: And that thereupon the Commons desired,

1. ' That a Committee of both Houses may be appointed to draw up a *Declaration*, and therein to set down the unjust Grounds of this *Proclamation*.

2. ' To consider the desperate Propositions of those that do meet at the Dean of York's House.

3. ' To consider of the Propositions of the Gentlemen of *Yorkshire*.

4. That the foregoing Letter may be printed and published.'

His Lordship added, ' That the Commons also desired their Concurrence in an *Ordinance*, declaring all Men Traitors that assist his Majesty in this War; which was read as follows:

The Parliament
declare all such
as assist the King,
Traitors.

' Whereas the King, seduced by evil Counsel, doth make War against his Parliament and People, [intending to make himself an absolute Conqueror of these Kingdoms, if not timely prevented]; and, for the promoting of this War, divers Forces of Horse and Foot have been levied, and are raised, by several Persons; and his Majesty's good Subjects are most cruelly robbed, spoiled, and slain: To the End that no Man may be misled through Ignorance, the Lords and Commons in Parliament declare, That all such Persons as shall, upon any Pretence whatsoever, assist his Majesty in this War with Horse, Arms, Plate, or Money, are Traitors to his Majesty, the Parliament, and the King.'

' Kingdom; and shall be brought to condign Punishment for so high an Offence.' (x)

To all these Proposals of the Commons the Lords gave their Consent, *Nem. Con.*

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The same Day (*August 18.*) the Lords were informed, That, according to their *Order*, Sir *Nicholas Raynton*, senior Alderman of *London*, had called a Common-Hall, and that the Citizens had elected Alderman *Pennington* their new Lord Mayor; and it was necessary and consistent with the ancient Customs of the City, that he be sworn and presented at *Westminster*, &c. That the City having sent to Sir *Richard Gurney* for the Sword, Cap, Macé, and Collar of SS's, he pretended that they were lock'd up at his House, and he could not come at them: But being ask'd again, Whether he would deliver them if he had them? he denied to deliver the Sword to any but the King from whom he received it.

Sir Richard Gurney, removed from his Office of Lord Mayor, refuses to deliver up the Regalia.

Upon this it was, first *ordered*, 'That the Thanks of the House should be given to Sir *Nicholas Raynton* and the rest of the Aldermen, for their chearful, ready, and orderly Obedience to the Commands of this House: That they approved of Alderman *Pennington* for Lord Mayor, as his good Affections were well known to be for King, Kingdom, and Privileges of Parliament: That he should have the usual Oaths given him by the Court of Aldermen; and two Barons of the *Exchequer* should attend the next Day, for the Lord Mayor to be presented and sworn.'

Lastly, It was *ordered*, 'That the Gentleman-Usher, attending that House, should go to the House of Sir *Richard Gurney* and demand the Sword, &c. and, if he be denied, to break open any Doors or Locks whatsoever, and possess himself of them, and deliver them to Alderman *Pennington*, now Lord Mayor Elect of the City of *London*.'

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(x) This Resolution of Parliament is printed in *Husbands and Rusbaworth*; but the Passage in Crotchets is omitted by both those Collectors and also in the *Lords Journals*: We have supplied it from those of the Commons.

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The next Day the Gentleman-Usher gave the Lords this Account, 'That, according to their Order, he had taken out of Sir Richard Gurney's Study four Swords, belonging to the City, one Cap of Maintenance, one embroidered Crimson Cap, one Collar of SS's, with a great Jewel and a pendant Pearl, and one great Mace, belonging to the City; all which Particulars he had delivered to the Lord Mayor Elect, and had his Receipt for them.'

August 19. An Allowance to the Earl of *Essex*, Lord General, of 10 l. a Day, for ordinary Expences; and the Earl of *Bedford* 6 l. as General of the Horse, was this Day agreed to by both Houses.

Mr. *Oliver Cromwel* was a Person of such Note, in the History of these Times, that it may well be wondered at we have scarce yet ever mentioned him: But, tho' his Name hath often occurred to us, in our Progress thro' the *Journals* of both Houses, yet it was only as a Member of the House of Commons, and sent with *Messages* to the Lords, chiefly about *Irish* Affairs, but all below our Notice; till, this Day, we find a Copy of *Instructions* entered in the *Lords Journals*, directed to *Oliver Cromwell*, Esq; *Thomas Sherwood*, Mayor of *Cambridge*, for which Town the former was Representative in Parliament, and three Aldermen, appointed to take Care of the Peace and Safety of the said Town; authorizing them to train and exercise all the Train'd Bands and Volunteers in that Town; and to lead and conduct them against all Forces that attempt to seize upon the Place, or to disturb the Peace of it: And further, they were hereby authorized to fight with all such Persons, and kill and slay them; and, by all Means, to preserve their Town from all hostile Attempts whatsoever, &c.

Mr Oliver Cromwell prevents the University of Cambridge from sending their Plate to the King.

Pursuant to these *Instructions*, the Commons had, soon after, Intelligence, That Mr. *Cromwell* had seized on the Magazine in the Castle of *Cambridge*; and had hindered the carrying off Plate, from that University, to the Value, as some reported, of 20,000 l. And,

The

The next Day, an *Ordinance* was made for the An. 18. Car. I.
Indemnity of *Oliver Cromwell*, Esq; and the Persons 1642.
concerned with him therein; and also further au-
thorizing him and them to make Stay of all such
Plate, belonging to any of the Colleges in the Uni-
versity of *Cambridge*, as shall be, hereafter, endea-
voured to be carried to the King to maintain a War
against the Parliament. August.

Three Commissioners of his Majesty's Ordnance
in the *Tower*, having refused to obey the Lord Ge-
neral's *Warrant* for delivering up some Stores, &c.
out of the Magazine there, they were taken into
Custody; and ordered either to deliver up the Keys
of the Office of Ordnance and Stores, or else the
Doors to be broke open, and the Charge and Keep-
ing the said Arms, &c. to be committed to other
Hands, for the Use of the King, Parliament, and
Kingdom.

A *Declaration* of Parliament was this Day (*Aug-
ust 20.*) agreed to, on the Basis of the last Letter
from *Yorkshire*, and was as follows: (*y*)

WE the Lords and Commons in Parliament A Declaration of
assembled, have perused and seriously Parliament, oc-
considered a Letter sent from many of the princi- cased by the
pal Knights, Gentlemen, and other Inhabitants of late Letter from
the County of *York*; directed to a worthy Knight *Yorkshire*,
of that County, being a Member of the House
of Commons; and intended for the Information
of both Houses of Parliament, concerning his Ma-
jesty's Purpose of raising his Standard at *Notting-
ham*, the present State of the Northern Parts,
and the growing Mischiefs and Miseries like to
overwhelm the whole Kingdom, by the great
Oppressions exercised upon his Majesty's Subjects
there; and other unlawful and dangerous Coun-
sels and Proceedings of those, who, under Pretence
of his Majesty's Service, are laying the Founda-
tion

B b 3

(*y*) This Declaration is in *Rushworth* and *Husband*; but the fore-
going Letter, which gave Occasion to it, being omitted in those Col-
lections, is supplied from the *Lords Journals*.

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tion of an Arbitrary and Tyrannical Govern-
ment, or rather Confusion and Desolation, not
only in those Parts, but in the whole Kingdom:
Upon which, and other Informations and Disco-
veries. we think fit to publish and declare some
few Observations, whereby the good Subjects of
this Kingdom may better discern their own Dan-
ger; and be stirred up with more Earnestness to as-
sist us in the Maintenance of Religion, and of the
common Justice and Liberty of the Kingdom,
which seems to be in no less Hazard than if we
had an Army of the *Irish* Rebels in the Bowels
of the Land.

The *first* Observation is this; That now it
plainly appears to the World, that there was good
Ground of those Fears and Jealousies, so often ex-
pressed by both Houses, That his Majesty intended
to make War against his Parliament; and that
the *Oaths*, *Protestations*, and *Execrations*, pub-
lished in his Majesty's Name, disclaiming any
such Purpose of War, were nothing but the De-
vices of those wicked Counsellors about him; that,
under such Disguises and Pretensions of Peace,
they might more closely arm and prepare them-
selves for War, and by Violence suppress the
Parliament; and so to make Way for the Accom-
plishment of their own Designs, for the Alteration
of Religion and the Government of the King-
dom.

The *second*; That this War is said to be for
the Defence of the *Protestant* Religion; and yet
the most diligent Assistants and Promoters of it
are *Papists*, and that corrupt and *superstitious* Part
of the *Clergy* that were running towards *Papery*;
wherein the *Papists* are so frequent, that they not
only send in Horse and Arms, but, the better to
qualify their Persons for this present Service, ma-
ny heretofore constant *Recusants*, do now resort
to Church, and take the Oaths of Supremacy and
Allegiance. And with what Affections they look
upon the Reformed Religion, is evident in the
Speeches of those who robbed Mr. *Marwood's*
House,

House, calling his Wife *Protestant Whore* and *Pu-
ritan*, she being a very virtuous Gentlewoman,
and of good Quality; only the Hatred of Religion
was it which provoked them to such ignominious
Language, which by those *Popish Cavaliers* is
prosecuted under the Name of *Roundhead*, as it
hath been by the *Prelatical Clergy* under the Name
of *Puritan*.

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A *third*; That Arms were taken from the
honest Gentlemen, Yeomen, and Townsmen;
and put into the Hands of such desperate Persons,
as cannot live but by Rapine and Spoil.

A *fourth*; That notwithstanding all the *Vows*
and *Protestations* to govern by Law, which have
been dispersed throughout the Kingdom, to blind
and deceive the People, the most mischievous
Principles of Tyranny are practised that ever were
invented; that is, to disarm the middle Sort of
People, who are the Body of the Kingdom, and
to maintain Soldiers by forced Contributions; to
erect a Provincial Government in the *North*,
clearly against the Common Law, and the Judg-
ment given in this Parliament for taking away the
Court at *York*: That the Contrivers and Instru-
ments of these Mischiefs, for their better strength-
ening in these Designs, are about to join them-
selves in an Association with other Counties: And
that Directions are given, that such as shall op-
pose, or not join with them, shall be violently
plundered and pillaged.

For the Prevention of these growing Evils and
Mischiefs, the Lords and Commons do *declare*,

That all well-affected and good Subjects, who
shall be plundered, pillaged, and suffer in their
Estates, by any of the *Cavaliers*, or other Forces
raised without Consent of Parliament, shall have
such Reparation of their Damages, out of the
Estates of those who have been Actors and Coun-
sellors in such Violences; and likewise out of the
Estates of all such Persons in any Part of the King-
dom whatsoever, who have withdrawn themselves
to

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to *York*, and shall persist to serve the King in this War against the Parliament, by any Subscription, or Contribution, or otherwise have given Assistance and Countenance to the Maintenance of it.

That it shall be lawful for any Number of Persons to join together, and to defend themselves and others from Rapine and Force: And the Earl of *Essex* (Lord-General of the Forces raised by the Lords and Commons, for the Defence of our Religion and Liberty, and for Protection of the oppressed Subjects of this Kingdom, and Lieutenant of the County of *York*) is desired to grant such Commissions for levying, leading, and conducting of Forces in the *Northern* Parts, as shall be thought requisite by his Excellency: And Sir *John Hotham*, Governor of *Hull*, is required to give all kind of Assistance, by the Garrison of the Town, and by furnishing them with Powder, Arms, and other Ammunition as he can spare. And for the better enabling of them in this their necessary Defence, it is *resolved*, That further Supplies of Arms shall be sent thither as speedily as may be: That the Sheriff of the County of *York*, and the Sheriffs of the adjoining Counties, and all Lieutenants, Deputy-Lieutenants, Mayors, Justices of the Peace, and other his Majesty's Officers and loving Subjects, be aiding and assisting them, in Defence of his Majesty's Subjects from all Oppression and Violence, with the Power of the Counties and Trained Bands.

That it shall be lawful for all Lord-Lieutenants, Deputy-Lieutenants, Sheriffs, Mayors, Bailiffs, and Head Officers of Corporations, to disarm all *Popish Recusants*; and all other his Majesty's Subjects are to be assisting unto them: And that it shall be lawful for any of his Majesty's Subjects to seize upon the Persons of all such as shall execute the illegal *Commission of Array*, or shall be Actors and Assistants in any of the aforementioned Oppressions and Violences; or shall furnish any Horse, Arms, Money, or other Aid or Contribution, for the

Main-

‘ Maintenance of this unnatural War, raised by his Majesty against his Parliament; and to seize upon their Horses, Arms, Money, and other Provisions, whereby they might be enabled to disturb the Peace of the Kingdom.’

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August 22. The Lords received Intelligence, That the King lay then before *Coventry*, and was playing upon the Town with his Ordnance; on account of their denying his Majesty Entrance, and shutting their Gates against him.

Coventry summoned by the King.

A long *Remonstrance* was read, and agreed to be sent to the States of *Holland*, by *Walter Strickland*, Esq; against allowing Military Stores to be bought up, and shipped off from thence, for the Service of the King against the Parliament. One Reason alledged therein, was, ‘ That it was expected the *Dutch*, who had formerly received the Assistance of the *English*, to recover their Liberty, should not now assist those, whose Design was to deprive the *English* Nation of their Rights and Liberties.’

The Dutch are desired to refuse selling him any Ammunition.

August 23. A Letter from the Earl of *Bath* to the Speaker of the House of Lords, was read :

My Lord,

I Received last Night a Summons from your Honourable House, requiring my Attendance there on Monday next, August 22, according to his Majesty's Writ. It is true I was summoned, at the Beginning of this Parliament, as of Right I ought; and did not fail to give my Attendance upon that Service, with as much Diligence and Affection to the Public as my poor Ability could express; but I received many Interruptions, by Scorns, Menaces, and Affronts from the People inhabiting about London and Westminster, contrary to the Constitution and Privileges of that and all other Councils; where the Members ought to come, sit, and return, with Honour and Safety: And I do not see the Minds of those People so settled and composed, that I may hope for better Usage: Wherefore I shall humbly

The Earl of Bath's Reasons for not attending the Parliament.

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bly desire their Lordships to excuse my Absence, untill I may have some Confidence of enjoying that Honour and Safety, which, heretofore I have not had. And so, with my Service to your Lordship, I remain

Your Lordship's

Tavistock, Aug. 15.
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Humble Servant,

BATH.

Ordered, That the Earl of Bath should be sent for as a Delinquent. And, upon further Information that he had great Store of Powder in his House in Devonshire, it was ordered, That Search should be made for such Powder, or Stores, and the same kept safe till the Pleasure of the House should be further known.

The King sets up
his Standard at
Nottingham.

The same Day the Lords received Advice, That the City of *Coventry* having been encouraged to hold out against the King, by the Arrival of 300 Men from *Birmingham*, and by receiving Advice that Mr. *Hampden*, Mr. *Denzil Holles*, and Mr. *Goodwin* (who had taken out Colonels Commissions under the Earl of *Essex*) were marching to their Relief, his Majesty's Forces drew off, and departed towards *Nottingham*, in order to set up his *Standard* there:—Though this Affair cannot properly be term'd a *Parliamentary Proceeding* in itself, yet as it took its Rise from thence, we apprehend it no unacceptable Digression to give some Account of the Manner of the King's erecting his *Standard*.—Mr. *Rushworth*, tells us, That

' The King came from *Coventry* on *Monday* the twenty-second of *August*, in the Morning, with some Lords and others in Company, to *Leicester*, where he dined that Day at the *Abbey*; and that presently after Dinner his Majesty again took Horse, and, with his Company, rode to *Nottingham*; where were great Preparations for the Setting up of the *Standard* that Day, as was formerly appointed.

' Not long after the King's coming to Town,
the

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the *Standard* was taken out of the Castle, and carried into the Field, a little on the Backside of the Castle Wall. The Likeness of the *Standard* was much of the Fashion of the City Streamers used at the Lord Mayor's Show, having about twenty Supporters, and was carried after the same Way; on the Top of it hung a Flag, the King's Arms quarter'd, with a Hand pointing to the Crown, which stood above with this Motto, *Give Cæsar his Due*. The Names of those Knights Bannerets who were appointed to bear the *Standard*, viz. the chief of them, were Sir Thomas Brooke, Sir Arthur Hopton, Sir Francis Wortley, and Sir Robert Doddington. Likewise there were three Troops of Horse to wait upon the *Standard*, and to bear the same backward and forward, with about 600 Foot Soldiers. It was conducted to the Field in great State, the King, the Prince, and Prince Rupert (whom his Majesty had lately made Knight of the Garter) going along with it, with divers other Lords and Gentlemen of his Majesty's Train, besides a great Company of Horse and Foot, in all to the Number of about 2000.

So soon as the *Standard* was set up, and his Majesty and the other Lords placed about it, a Herald at Arms made ready to publish a *Proclamation*, declaring the Ground and Cause of his Majesty's setting up his *Standard*, namely, to suppress the Rebellion of the Earl of *Effex*, in raising Forces against him, to which he required the Aid and Assistance of all his loving Subjects; but before the Trumpeters could sound to make *Proclamation*, his Majesty called to view the said *Proclamation*, which being given him, he privately read the same over to himself; and, seeming to dislike some Passages therein, called for Pen and Ink; and, with his own Hand, crossed out, and altered the same in some Places, and then gave it the Herald; who proclaimed the same to the People, though with some Difficulty after his Majesty's Corrections: After the Reading thereof, the whole Multitude threw up their Hats, and cried, *God save the King*, with other such-like Expressions.

Not

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'Not long after the Reading of the said *Proclamation*, it being towards Night, the *Standard* was taken down, and again carried into the Castle, with the like State as it was brought into the Field; and the next Day it was set up again, and his Majesty came along with it, and made *Proclamation* as the Day before; and the like was also done on *Wednesday*, his Majesty being also present; but after that it was set up with less Ceremony.'

Lord *Clarendon's* Account of this Matter runs thus: 'According to the *Proclamation*, upon the 25th Day of *August*, the *Standard* was erected, about six o'Clock in the Evening of a very stormy and tempestuous Day. (z) The King himself, with a small Train, rode to the Top of the Castle-Hill; *Verney*, the Knight-Marshal, who was *Standard-Bearer*, carrying the *Standard*, which was then erected in that Place, with little other Ceremony than the Sound of Drums and Trumpets. Melancholy Men observed many ill Presages about that Time. There was not one Regiment of Foot yet brought thither; so that the Train'd Bands, which the Sheriff had drawn together, were all the Strength the King had for his Person and the Guard of the *Standard*. There appeared no Conflux of Men in Obedience to the *Proclamation*; the Arms and Ammunition were not yet come from *York*, and a general Sadness cover'd the whole Town. The *Standard* was blown down the same Night it had been set up, by a very strong and unruly Wind, and could not be fixed again in a Day or two, till the Tempest was allayed. This was the melancholy State of the King's Affairs when the *Standard* was set up.'

Leaving

(z) *Whitlocke* and *Rushworth* both fix the twenty-second of *August* as the Day of erecting the *Standard*. Lord *Clarendon*, in the Conclusion of his Fifth Book, and in the Beginning of the Sixth, makes it the twenty-fifth. The latter is evidently a Mistake, since his Lordship says, That the King's *Message* for an Accommodation was agreed on three Days after the erecting his *Standard*; and in his own *History*, as well as in the *Journals*, the said *Message* bears Date the twenty-fifth.

Leaving the Reader to reconcile these two Accounts, we return to our more certain Guides the Journals of Parliament.

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August 25. A Letter to the Earl of *Essex*, from some Officers in his Army concerning the relieving of *Coventry*, was read in the House of Lords as follows:

May it please your Excellency,

From Buckingham we gave you an Account of our Intentions to relieve *Coventry*, which put us both upon long and hasty Marches, in which we were somewhat relieved by the Kindness of the Country as we passed along; especially in *Northamptonshire*, where our Soldiers had very good Entertainment, and the Assistance of 120 Dragoons.

Letter from Sir H. Cholmley, &c. concerning their relieving of *Coventry*.

The last Night we came to *Southam*, within ten Miles of *Coventry*; where we were no sooner settled than we had an Alarm, which kept us all under Guard the whole Night.

This Morning, by that Time as one Regiment was drawn out of the Town, the adverse Horse was discovered; we made what Haste we could to draw out the rest of the Regiments into Order; but before we could well effect it, they had planted two Peices of Canon and advanced with Horse and Foot; the Number, as we conceive, were about 1200 Horse, and about 300 Musqueteers and Firelocks; as Capt. Legge informs us, who, upon the planting of our Canon, came to the Place where Serjeant-Major-General Ballard stood, who presently took him Prisoner; concerning whom we desire to know your Excellency's Pleasure what we shall do with him.

After the Canon had played a while on both Sides, they retreated in some Haste; and we, according to our former Resolutions, marched to this Place. There were slain of the adverse Party four Horses, and some Men both of the Horse and Foot; but, Thanks be to God, we did not receive any Prejudice at all from them.

We

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An. 13. Car. 1. *We are here at Coventry, ready to attend the next*
 1643. *Occasion of Service, or any Command that you shall be*
 August. *pleased to impose upon*

Your Excellency's

most humble Servants,

Coventry, August 23,
 1642.

HENRY CHOLMLEY.
 THO. BALLARD.
 JOHN HAMPDEN.
 NATH. FIENNES.

The Speaker was ordered to send them the Thanks
 of both Houses of Parliament by Letter.

For some Months past the *Journals* have taken Notice of frequent Complaints against the unbounded License of the Press; and many Printers were committed to the *Gatehouse*, and other Prisons, on that Account: For so eager was the Curiosity of the Public to know what the House of Commons were doing, that some of their *Declarations* were privately printed the very Day they passed that House, and before they were sent up to the Lords for their Concurrence, of which we find many Instances. To remedy this, an *Order* concerning the Abuses in Printing was this Day (*August 26.*) made by both Houses, as follows:

Order against the
 irregular Printing of
 any Proceedings
 of Parliament.

W Hereas there hath been of late great Disorders and Abuses by irregular Printing, to the great Scandal of Religion and Government; and a Bill is in Preparation for the Redress of those Mischiefs, which, by reason of the present Distractions, cannot be so speedily perfected and passed as is desired: It is ordered by the Lords and Commons in Parliament, That no Person or Persons shall print, publish, or utter any Book or Pamphlet, with the Name of the Clerk of either House of Parliament set thereunto, or with any Expression or Pretence of Order from both or either

‘ either of the said Houses, without special Order
 ‘ from the said Houses or either of them, or the
 ‘ Committees of them or either of them concerning
 ‘ Printing, and the same to be entered in the Regi-
 ‘ ster Book of the said Company, according to an-
 ‘ tient Custom ; and the Masters and Wardens of
 ‘ the Company of Stationers of *London*, the Usher
 ‘ of the Black Rod, the Serjeant of the Commons
 ‘ House of Parliament, and their Deputies, are
 ‘ hereby authorized and required, from Time to
 ‘ Time, to make diligent Search for all such Books
 ‘ and Pamphlets to be hereafter printed ; and the
 ‘ same to seize and take, together with the Presses
 ‘ and other printing Materials wherewith the same
 ‘ shall be printed, and carry them to the Common
 ‘ Hall of the said Company, there to remain till
 ‘ either House of Parliament shall otherwise dispose
 ‘ thereof ; and all his Majesty’s Officers shall, upon
 ‘ Request, aid and assist to apprehend Offenders in the
 ‘ Premises, and to bring them before the Lords or
 ‘ Commons House of Parliament, or the Com-
 ‘ mittee appointed for printing ; upon whose Report
 ‘ of the Fact, such Course shall be taken with the
 ‘ said Offenders as shall be just ; and for that Pur-
 ‘ pose the Committee are to sit at such Times and
 ‘ Places as they shall think fit.’

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Another *Ordinance* of Parliament was also made,
 for raising Money for carrying on the War, which
 has this remarkable Preamble :

‘ It is this Day *ordered* by the Lords and Com-
 ‘ mons in Parliament assembled, for the more speedy
 ‘ and effectual Provision of sufficient Treasure to be
 ‘ employed in quenching this unnatural War, now
 ‘ kindled in the Heart of this Kingdom, by *Papists*,
 ‘ Persons *papistly* affected, Traitors and Delinquents
 ‘ against his Majesty, That the several Persons
 ‘ hereafter named, &c.’ The rest of the *Order* was,
 That those Persons should summon all the Resiants
 of every Ward in *London*, whether Freemen or o-
 thers, to subscribe their Names in a Book, and what
 Mo-

Another for rais-
 ing Money.

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The Earl of
Southampton
comes from the
King, with a
Message for
Peace:

Money, Plate, Horse, or Arms they would contribute to this Cause, &c.

August 27. The Earl of *Southampton*, being sent from the King at *Nottingham*, came into the House of Lords, and took his Place; but, being presently commanded to withdraw, went out of the House again. The Lords were informed, that the said Earl had a *Message* to deliver to the Lords in Parliament, from the King; yet, in regard of the Manner of his coming into the House, without giving any Notice of it before, either in one Kind or other, the Lords did not think fit that the said Earl of *Southampton* should be permitted to deliver the *Message*; but that he should send it in by the Gentleman-Usher of this House. Whereupon the Usher was sent out to the Earl with this *Message* in Writing:

The Lords order
it to be brought
in by their Gen-
tleman-Usher;

‘That the Lords are not satisfied with the Manner of your Lordship’s coming into the House at this Time; they will not therefore receive any *Message* from your Lordship; but, as it comes from his Majesty, they are ready to receive it, with all Humility; and wish your Lordship to send it in unto them by the Hands of their Gentleman-Usher.’

The Earl’s *Answer*: ‘That he desires to let their Lordships know, That he was commanded by the King to deliver this *Message* to the House; and he doth not know how his Majesty will be pleased if he should deliver it to Mr. *Maxwell*.’

The Lords *Reply*: ‘That they conceived the Delivery of the King’s *Message* to their Gentleman-Usher, by their Command, is a Delivery of it to the House.’

To which the Earl gave this *Answer*: ‘That he desired not to be pressed to it, for he durst not do it untill he had acquainted the King therewith.’

On this last *Answer* the Lords appointed a Committee of four, to draw up a *Resolution* of the House, touching this Business, which was to be sent

sent to the Earl by the said Usher; which was to An. 18. Car. I.
this Effect: 1642.

‘ That the Lords were ready to receive, with
‘ Humility, the *Message* from the King, though not
‘ from his Lordship’s Hands, because they were
‘ unsatisfied with his Carriage; therefore they sent
‘ their Gentleman-Usher to bring it to them;
‘ which he twice refusing, they shall account him
‘ answerable for any ill Consequence that may ensue
‘ thereby; and their Lordships have not proceeded
‘ further against him at this Time, in respect he
‘ was employed by the King to this House, but do
‘ command him forthwith to depart this Town.’

August.

And command
the Earl to leave
the Town.

Upon this the Earl sent in the King’s *Message*
by Mr. *Maxwell*, which was read in these Words:

‘ **W**E have, with unspeakable Grief of Heart, The *Message*.
‘ long beheld the Distractions of this our
‘ Kingdom: Our very Soul is full of Anguish untill
‘ we may find some Remedy to prevent the Miseries
‘ which are ready to overwhelm this whole Nation
‘ by a Civil War: And though all our Endeavours,
‘ tending to the composing of those unhappy Dif-
‘ ferences betwixt us and our two Houses of Parlia-
‘ ment, (though pursued by us with all Zeal and
‘ Sincerity) have been hitherto without that Suc-
‘ cess we hoped for; yet such is our constant and
‘ earnest Care to preserve the Public Peace, that
‘ we shall not be discouraged from using any Ex-
‘ pedient, which, by the Blessing of the God of
‘ Mercy, may lay a firm Foundation of Peace and
‘ Happiness to all our good Subjects.

‘ To this End, observing that many Mistakes
‘ have arisen by the *Messages*, *Petitions*, and *An-*
‘ *swers* betwixt us and our two Houses of Parlia-
‘ ment, which happily may be prevented by some
‘ other Way of *Treaty*, wherein the Matters-in
‘ Difference may be more clearly understood, and
‘ more freely transacted; we have thought fit to
‘ propound to you, that some fit Persons may be by
‘ you enabled to treat with the like Number to be

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‘ authorized by us, in such a Manner, and with
 ‘ such Freedom of Debate, as may best tend to that
 ‘ happy Conclusion which all good Men desire, *The*
 ‘ *Peace of the Kingdom*: Wherein as we promise,
 ‘ in the Word of a King, all Safety and Encou-
 ‘ ragement to such as shall be sent to us, if you
 ‘ shall chuse the Place where we are for the *Treaty*,
 ‘ which we wholly leave to you; presuming of
 ‘ your like Care of the Safety of those we shall
 ‘ employ, if you shall name another Place: So we
 ‘ assure you and all our good Subjects, that, to the
 ‘ best of our Understanding, nothing shall be therein
 ‘ wanting on our Parts, which may advance the
 ‘ true Protestant Religion, oppose Popery and Su-
 ‘ perstition, secure the Law of the Land (upon
 ‘ which is built as well our just Prerogative, as the
 ‘ Property and Liberty of the Subject) confirm all
 ‘ just Power and Privileges of Parliament, and render
 ‘ us and our People truly happy, by a good Under-
 ‘ standing betwixt us and our Houses of Parliament.

‘ Bring with you as firm Resolutions to do your
 ‘ Duty: And let all our good People join with us
 ‘ in our Prayers to Almighty God for his Blessing
 ‘ upon the Work.

‘ If this *Proposition* shall be rejected by you, we
 ‘ have done our Duty so amply, that God will ab-
 ‘ solve us from the Guilt of any of that Blood which
 ‘ must be spilt; and what Opinion soever other
 ‘ Men may have of our Power, we assure you no-
 ‘ thing but our Christian and Pious Care to prevent
 ‘ the Effusion of Blood, hath begot this Motion;
 ‘ our Provision of Men, Arms, and Money being
 ‘ such as may secure us from further Violence, till
 ‘ it shall please God to open the Eyes of our People.’

When this was read, the Lords received a *Mes-
 sage* from the Commons, desiring a Conference a-
 bout the same *Message* to them from the King, sent
 by Sir John Colepeper.

There was not that Difficulty in admitting this
 Messenger into the House of Commons, as in the
 Case of the Earl of *Southampton* with the Lords; for
 the

the Commons being inform'd by Mr. Speaker, that he had receiv'd a Letter from Sir *John Colepeper* Chancellor of the *Exchequer*, signifying, that he was coming with a *Message* from the King; which he could not deliver but as a Member of that House; yet, in regard of an *Order* of the House, he durst not presume to come till he had their Leave: A Debate arose thereupon, and a Motion being made, That the Question for disabling him to sit as a Member should be now put, it passed in the Negative by 69 against 26; so he was admitted to deliver the *Message*.

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At the Conference, held on this Occasion, the Commons delivered two *Resolutions* of theirs, to which they desired the Lords Concurrence:

The Resolutions
of both Houses
thereupon.

1. *Resolved*, 'That this House cannot give *Answer* to this *Message* from his Majesty, untill the *Proclamations* and *Declarations* be recalled, whereby the Earl of *Essex* and both Houses, with their Adherents and Assistants, and such as have obeyed and executed their Commands, or Directions, according to their Duties, are declared Traitors, or otherwise Delinquents; and untill the *Standard*, set up in pursuance of the said *Proclamations*, be taken down.'—Read, but not then agreed to.

2. *Resolved*, 'That the Lords be desired to join with the Commons in a Direction to the Lord-General, That he advance his Forces with all possible Speed, for the Defence and Safety of the Kingdom; that this House doth not this out of any Apprehension of Backwardness in the Lord General, but to give Satisfaction that this *Message* doth not render them any way slack in their Duties, for the Preservation and Safety of the Kingdom.'—Read and agreed to.

The Messengers from the House of Commons being called in, the Speaker told them, 'That the Lords concurred with them in the latter *Vote*; and, as to the former, they should receive an *Answer* by Messengers of their own.'

A Committee being appointed for that Purpose, the following *Answer* to the King's last *Message* was drawn up, and agreed to by both Houses:

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August.

Their Answer to
the said Message.*May it please your Majesty,*

THE Lords and Commons in Parliament assembled, having received your Majesty's *Message* of the 25th of *August*, do with much Grief resent the dangerous and distracted State of this Kingdom; which we have, by all Means, endeavoured to prevent, both by our several *Advices* and *Petitions* to your Majesty, which have been not only without Success, but there hath followed that, which no ill Counsel in former Times hath produced, or any Age hath seen; namely, those several *Proclamations* and *Declarations* against both Houses of *Parliament*; whereby their Actions are declared *Treasonable*, and their Persons *Traitors*: And thereupon your Majesty hath set up your *Standard* against them, whereby you have put the two Houses of Parliament, and, in them, this whole Kingdom, out of your Protection; so that, untill your Majesty shall recall those *Proclamations* and *Declarations*, whereby the Earl of *Essex* and both Houses of Parliament, and their Adherents and Assistants, and such as have obeyed and executed their Commands and Directions, according to their Duties, are declared *Traitors*, or otherwise Delinquents; and untill the *Standard*, set up in Pursuance of the said *Proclamations*, be taken down; your Majesty hath put us into such a Condition, that, whilst we so remain, we cannot, by the Fundamental Privileges of Parliament, the public Trust reposed in us, or with the general Good and Safety of this Kingdom, give your Majesty any other *Answer* to this *Message*.

The King's Reasons for sending it.

It may be naturally inquired, What should induce the King, within three Days after erecting his *Standard* at *Nottingham*, to send this *Message*? — Mr. *Rushworth* only gives the *Message*, &c. without entering into the Reasons of it; with which it is not likely, in his Situation, as only Clerk-Assistant of the House of Commons, he could be acquainted. Mr. *Whitlocke* contents himself with saying, 'That not

not so many resorted to the King's *Standard* as was expected.'—But Lord *Clarendon* enters more largely into the King's Motives, recapitulates the desperate State of his Majesty's Affairs at this Juncture; and, upon the whole, imputes it, in great Measure, to the same Cause as Mr. *Whitlocke*.—Adding, 'That when, in this great Anxiety, some of the Lords about the King proposed to him the sending the above-mentioned *Message*, (which Proposal was no sooner made than, in a Manner, unanimously agreed to) his Majesty was so offended at it, that he declared, He would never yield to it, and broke up the Council that it might be no longer urged: But that the next Day, when they met again, they renewed the same Advice with more Earnestness. That the Earl of *Southampton* pressed it as a Thing that might do Good, and could do no Harm; and the King's Reasons, with Reference to the Insolence it would raise in the Rebels, and the Dishonour that would thereby reflect upon himself, were answered, by saying 'Their Insolence would be for the King's Advantage; and when they should reject the Offer of Peace, which they believed they would do, they would make themselves the more odious to the People, who would be, thereby, the more inclined to serve the King.' That upon these and other Reasons, and almost the concurrent Importunity of his Council, (Peace being so Popular a thing, that whosoever opposed it would be sure to be, by general Consent, a declar'd Enemy to his Country) the King was prevailed with to send this *Message*.

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1642.
August.

August 29. Some Orders were made against breaking into Houses, under Pretence of searching for Arms, Powder, &c. by which many People were robbed and plundered; which Circumstance, alone, must have made the Country very miserable at that Time. A *Petition* from the Countess of *Rivers* was read, complaining, That two of her Houses, in *Essex* and *Suffolk*, had been plundered by tumultuous People, to the Value of 50,000*l*.

Order against
plundering of
Houses.

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August 30. In the Proceedings of the Months of *March* and *April*, we gave an Account of a *Petition* from the County of *Kent*, the principal Actors wherein were impeached of high Crimes and Misdemeanors :—But this Day two *Petitions*, of a different Nature, were presented from that County to the House of Commons, which found as different a Reception ; and will therefore make no improper Contrast to the other : For it appears by the *Journals*, That the House being informed that divers well-affected Gentlemen of *Kent* were at the Door, they were called in : And Sir *John Sedley*, in the Name of the rest, spoke to this following Effect :

Mr. Speaker,

Sir John Sedley's
Speech at the
presenting two
Petitions from
Kent, approving
of the Parlia-
ment's Proceed-
ings.

I Am intrusted by the well-affected Gentry and Commons of *Kent*, to present their humble Desires, and faithful Resolutions, in a *Petition* to this Honourable House.

' This *Petition* comes guided hither with as many Hearts as Hands, It is like a Coat without Seam : It hath no subtil disguised Preamble to it : It is all of a Peice ; speaking plain Language ; yet full of Loyalty and Obedience to his Majesty and the Parliament.

' This *Petition* is more considerable than any that hath been presented from this County, coming not only from that Part of the Gentry who are exceedingly well affected to the true Religion, and their Country ; but embraced with such a unanimous Consent of the entire Body of the Commonality, as that each Man contested for the first Subscription to it.

' The Commons of *Kent* are very deeply sensible of the many Injuries done them by several *Petitions*, especially by that late unexampled bold one to his Majesty, falsely assuming to it the *Votes* of the whole County ; whereas, indeed, it was contrived by a few malevolent and ambitious Spirits only, and wholly disclaimed by the Commons, and was subscribed by divers loose and dissolute Persons : This
was

was grown to a dangerous Imposthume, (having gathered the most of its Corruption about the Town of *Maidstone*) had not the Parliament timely observed it, and applied that seasonable Remedy, sending down the late Troops of Horse to * * *, (b) thereby preventing all further or future Ulcerations. For this vigilant Care of theirs, thus to preserve the whole Body, the Commons have desired me to return their most humble and grateful Acknowledgment to this Honourable House.

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Then the *Petitions* were read.

To the Honourable the Knights, Citizens, and Burgeesses, now assembled in the High Court of Parliament,

The HUMBLE PETITION and PROTESTATION of the KNIGHTS, GENTLEMEN, and COMMONS, of the County of *Kent*,

Sheweth,

THAT the Fear of Misapprehensions and Misunderstandings of our Duties and Respects to this House, is that which emboldens us humbly to present our Affections and Protestations. The Petitions.

And, first, with all possible Thanks for your great Care and Resolution, in the well Discharge of your public Trust; which, with so much Opposition to you, (never read or heard of in former Times) you have hitherto undertaken, and encountered with the Hazard of some of your Lives and Fortunes: And we do all confidently believe, and much joy in the Thought of it, (notwithstanding the Misrepresentation of your Actions by some, ill-affected to the Public Good, for private Ends) that all your Actions and Endeavours have aimed at the Maintenance of the Protestant Religion, the Preservation of the King's Person, the Rights and Privileges of Parliament, and the Liberties of the Subject, according to the late Protestation commended to us.

And that there may not appear any Failure in our Duties and Respects to you, we, the Knights,
Gen-

(b) Sic in Orig.

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Gentlemen, and Commons of the County aforesaid, do humbly present this Protestation; That, to our utmost Powers and Endeavours, and with the Hazard of all that is near or dear unto us, in our Lives and Estates, we shall and will maintain, preserve, and defend the Rights and Privileges of Parliament, and the full Authority thereof, the King's Person, the Protestant Religion, and the Liberties of the Subject.

And we humbly desire, that all ill-affected Persons opposite hereunto, by the Power and Justice of this House may receive such a Degree of Punishment, as those that are professed Enemies to the true Religion, and the Peace and Prosperity of this Kingdom.

And we humbly pray God, (whom we infinitely praise and thank for his Blessings hitherto . . . (c) your Endeavours, manifested in the happy Settlement of Peace betwixt us and our neighbour Nations; and in the Preservation of some of your Members from apparent Dangers) that those Mists of Misunderstanding, fomented by Persons ill-affected to our Public Peace and Religion, and now interposing betwixt his Majesty's Grace and Goodness to you, and your Duties to him, hindering those sweet Influences, which otherwise, in a great Measure, by all Probability, would leave a free Passage betwixt his Majesty and you, by your great Wisdoms, may be so dispelled, and taken away, that a clear and right Understanding might be had of your Actions and Intentions to his Majesty and this Kingdom: And this (God working in his Majesty's Heart an Inclination thereunto), we are confident, will speedily render a great Proportion of Happiness to his Majesty, yourselves, and the rest of this Kingdom;

Which shall be the Prayers of * * * *.

To the Right Honourable the COMMONS HOUSE
of PARLIAMENT.

WE your humble and faithful Petitioners, inhabiting in the County of Kent, being deeply sensible of the many Miseries which these calamitous Times (notwithstanding your great Care and Vigilance to prevent the same) are likely to produce; wherein his

Gra-

(c) Sic in Orig.

Gracious Majesty, (seduced by the malevolent Counsel of an ill-affected Party of Malignants and Cavaliers) the Protestant Religion, his Royal Person and Honour, the Privilege of Parliament, and the Subjects Liberty, are threatened with too too apparent Hazard and Ruin: Towards the Support of which, your Petitioners, according to the Duty of loyal Subjects, and good Christians, are not only willing to contribute their best Wishes and Votes, but even the utmost of their Endeavours, both with their Lives and Fortunes, for the Redeeming of his Majesty from such Hands, and our Religion and Liberty from such Peril and Danger. But may it please this Honourable House to consider, That the Petitioners apprehend themselves in a Condition and Posture nothing suitable to this their Resolution; being deprived, and left naked, by the taking our Arms from us, in the late Expedition for Scotland. We therefore beseech your provident Care to impower us with such a Proportion of Ammunition and Arms, to be magazined in these Parts, whereby we may be enabled to manifest our Affections and Obedience to the Command of King and Parliament, both for the Pursuance of the aforesaid Intentions, and Opposition of all illegal Infringements of our Laws and Liberties; such as the Commission of Array, wherewith we are at this Time threatened; and what other of the like Nature and Condition soever shall be hereafter obtruded upon us.

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And your Petitioners shall be bound, &c.

To these *Petitions* the Speaker, in the Name of the House, delivered the following *Answer*:

Gentlemen,

I Am commanded by the House to let you know, that it is no small Satisfaction and Contentment to this House, to find the Affections and Resolutions of your County, expressed to them so seasonably, and so worthy of yourselves, as they now receive them in these *Petitions*; especially, observing the many subtle Practices that have been set on

The Speaker returns Thanks to the Petitioners.

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on Foot, under the Name of that County, to work in this House a contrary Opinion of you; from which you have now so well and fully vindicated yourselves and them.

‘ Nor can they but observe, that at this Time, when, contrary to the Fundamental Constitution of this Government, both Houses of Parliament, and the whole Kingdom in Them represented, All, by the Seducement of wicked Counsel, are proclaimed Traitors; (a Thing untill this Time unheard-of) you do, with so much Zeal and Resolution, offer yourselves, your Lives and Fortunes, to support your Religion and Liberty, your Country, King, and Parliament, all now in imminent Danger of utter Ruin: For which the House hath commanded me to return you their most hearty Thanks. And touching these malignant and ill-affected Persons, whereof you have, in your *Petition*, given a general Character; and in particular presented a List of some of them; this House doth assure you, that they will, according to your Desires, proceed against them with all Expedition and Severity. And, concerning your Desires for a Supply of Ammunition and Arms, for the Defence of your County, such hath been the Care of both Houses in that Particular, and for the general Security and Peace thereof, that they have already granted full Power and Instructions to a Committee, and the Deputy-Lieutenants appointed by them for your County, to take a Course therein, which they doubt not will give you ample Satisfaction.’

September. In the first Day’s Entry of this Month, we find nothing material, except that Intelligence was brought to the Lords, of the Apprehending of the Earl of *Carlisle*, the Bishop of *Ely*, and the Heads of Colleges in *Cambridge*, who had found Means to convey away their Plate to the King. The Earl was committed to the Custody of the Black Rod, for the present; but the Bishop with the rest were ordered to the *Tower*.

Septem-

September 2. Informations came, also, from several Parts, as from *Oxford, Worcester, &c.* of the Plunderings and Wastings committed by the King's Forces, called, now, *Cavaliers* in the *Journals*; and proper *Orders* were sent to their General to grant such Commissions, as he should think necessary for settling the Peace in those Counties, and the Protection of the King's Subjects.

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Sir *Robert Harley*, this Day, brought up an *Order*, made by the Commons, to forbid *Stage-Plays*; which, for its Singularity, deserves our Notice.

‘ **W**Hereas the distressed Estate of *Ireland*, steeped in her own Blood, and the distressed Estate of *England*, threatened with a Cloud of Blood by a Civil War, call for all possible Means to appease and avert the Wrath of God, appearing in these Judgments: Amongst which, Fasting and Prayer hath been often tried to be very effectual, and have been lately and are still enjoined: And whereas public Sports do not well agree with public Calamities; nor public Plays with the Seasons of Humiliation; this being an Exercise of sad and pious Solemnity, and the other being Spectacles of Pleasure, too commonly expressing lascivious Mirth and Lechery: It is, therefore, thought fit, and ordained by the Lords and Commons, &c. That while those sad Courses and set Times of Humiliations do continue, public *Stage-Plays* shall cease and be forborne; instead of which are recommended to the People of this Land, the profitable and seasonable Consideration of Repentance, Reconciliation, and Peace with God; which, probably, may produce outward Peace and Prosperity, and bring again Times of Joy and Gladness to these Nations.’

An Order for
suppressing of
Stage Plays.

Agreed to by the Lords.—As was also the following *Order* for banishing the *Capuchin Friars*, which had been settled at *Somerſet-Houſe*, in pursuance of the Marriage Articles between the King and Queen.

‘ The

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Another for banishing the Queen's Capuchin Friars.

THE Lords and Commons now in Parliament assembled, beholding the Hand of God gone out against this Kingdom in a Civil War, already begun in the Land; and looking higher than the pernicious Counsellors of it, or wicked Instruments employed in it; and laying to Heart the Displeasure of Almighty God for our many crying Sins, among which none doth more provoke the Eyes of his Jealousy, than the Abomination of Idolatry and false Worship; and notwithstanding his Majesty's *Proclamations* for the banishing of all *Jesuits* and *Priests*, (the Bringers in and Maintainers of this cursed Sin) and the strict Command of the Lords and Commons, for the speedy sending of all *Capuchin Friars* out of this Land; yet, through the Remissness of those entrusted in that Service, the said *Priests* and *Capuchins* do still continue in or about the Suburbs of *London*, to the further Incensing of the Wrath of God against this Nation, the Poisoning of the Minds and Consciences of his Majesty's Subjects, and the apparent Danger of this Church and State; do therefore order, That all the *Capuchin Friars* at *Somerſet-Houſe*, shall be forthwith removed out of his Majesty's Dominions; and all the Monuments of Idolatry, which are there set up, demolished.

September 3. The Earl of *Carlisle* was committed to the *Tower*, and Witnesses ordered to be produced against him, to prove the Activeness of the said Earl, in endeavouring to put the Commission of *Array* in Execution, in the County of *Essex*.

September 5. The Speaker acquainted the Lords, That the Lord *Spencer* had a Message to deliver from the King; on which the Lords sent out the Gentleman-Usher, as before, to receive it, who brought it in, and delivered it to be read, *in hæc Verba*:

The King's second Message for Peace,

WE will not repeat what Means we have used to prevent the dangerous and distracted Estate of the Kingdom; nor how those Means

Means have been interrupted; because, being desirous to avoid Effusion of Blood, we are willing to decline all Memory of former Bitterness, that might make our Offer of a *Treaty* less readily accepted.

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We never did declare, nor ever intended to declare, both our Houses of *Parliament Traitors*, or set up our *Standard* against them; and much less to put them and this Kingdom out of our Protection: We utterly profess against it before God and the World. And further, to remove all possible Scruples, which may hinder the *Treaty* so much desired by us, we hereby promise (so that a Day be appointed by you for the Revoking of your *Declarations* against all Persons as *Traitors* or otherwise, for assisting of us) we shall, with all Cheerfulness, upon the same Day, recall our *Proclamations* and *Declarations*, and take down our *Standard*: In which *Treaty* we shall be ready to grant any Thing that shall be really for the Good of our Subjects; conjuring you to consider the bleeding Condition of *Ireland*, and the dangerous Condition of *England*, in as high a Degree as, by these our Offers, we have declared ourself to do; and assuring you that our chief Desire, in this World, is to beget a good Understanding, and mutual Confidence, betwixt us and our two Houses of Parliament.

The Lords, taking this *Message* into Consideration, appointed a Committee to prepare an *Answer* to it; but, at the same Time, *resolved*, That the Lord-General shall proceed with his Forces, according to former *Resolutions*.

The same Day the Commons being informed, That the Lord *Falkland* was at the Door with a *Message* from the King, it was *ordered*, That he be received in the same Manner as Sir *John Colepeper* had been. Which was done accordingly.

A Conference between the two Houses was held on this *Message*; after which the Commons sent up the following *Votes* for the Lords Concurrence.

1/2,

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Resolutions of
both Houses
thereupon ;

1st. *Resolved*, ' That the King, in proclaiming the Earl of *Essex*, and all his Adherents, Traitors, hath declared both Houses to be Traitors, who have published their *Resolutions* to adhere to him, he having done nothing but by their Authority and Direction ; and doth hereby put them and the whole Kingdom out of his Protection. To prove this, the *Proclamations* and the King's *Instructions*, given to the Commissioners of *Array* since the last *Message*, are sufficient Evidence.

2^{dly}, ' That the King not having removed those Impediments mentioned in our former *Answer*, we do *resolve* to adhere thereunto : Which is, That so long as the *Standard* is up, and the *Proclamation* and *Declaration* unrevoked, we cannot make any other. Only we desire it may be considered, what a Dishonour and Scorn is cast upon us in that we, and the whole Kingdom, are put into the same Balance with Traitors and Delinquents : And as for that *Proposition* of the King's, *That when we shall appoint a Day to revoke our Declaration against all Persons as Traitors or otherwise, for assisting his Majesty, he will, upon the same Day, revoke his Proclamations and Declarations, and take down his Standard* ; we cannot admit of it without the greatest Danger and Dishonour of the Kingdom and Parliament, by the consenting to the Preservation and Indemnity of those who have been so apparently active to the Destruction of both.'

3^{dly}, ' That we are as desirous of a good Understanding betwixt his Majesty and his Subjects, as sensible of the bleeding and distempered Estate of *England* and *Ireland* ; and as careful to settle a good Peace in both, as any Subjects of this Kingdom have ever been : And we do, with much Grief, remember that many Things are done which give us just Cause to believe that there are not the like Intentions in his Majesty and those who govern his Affairs ; in that the Ships appointed for the Guard of *Ireland*, have been recalled by his Majesty's *Warrant* ; the Provision of Cloaths, to be sent to the Army there, have been taken away by his Troopers, upon the

the Road ; and the Horses, Waggon, and other Neccessaries, provided for *Chester*, sent for by his Command ; also, his Majesty keeping that Kingdom without the Chief Governor ; whereby the Army at *Dublin*, maintained at the great Charge of this Kingdom, is made unprofitable, and the Rebels grown so insolent as to exercise hostile Acts, even to the very Walls of that City. Besides many other Impediments given to the *Irish* Affairs, mentioned in an *Answer* of this House to a *Message* from his Majesty, of the 13th of *August* last.

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Ordered, That this House agrees with the House of Commons in all these *Votes*.

This Day the Earl of *Essex* was declared Lord Lieutenant of the County of *Salop*, in the room of the Lord Keeper *Littleton*.

September 6. Another, and a yet stronger, *Vote* of the Commons, was sent up to the Lords, for their Concurrence, which was also as readily agreed to by them, to this Effect :

‘ Whereas his Majesty, in a *Message*, received the 5th of *September*, requires that the Parliament should revoke their *Declarations* against such Persons as have assisted him in this unnatural War against this Kingdom, it is this Day *ordered* and *declared* by the Lords and Commons, That the Arms which they have been, and shall be, forced to take up, for Preservation of the Parliament, Religion, Laws, and Liberties of the Kingdom, shall not be laid down, untill his Majesty shall withdraw his Protection from such Persons as have been, or shall be, *voted*, by both Houses, to be Delinquents ; and shall leave them to the Justice of Parliament, to be proceeded with according to their Demerits ; to the end that both this and succeeding Generations may take Warning, with what Danger they incur the like heinous Crimes : And, also, to the end that those great Charges and Damages, wherewith all the Commonwealth hath been burthened in the Premises, since his Majesty’s Departure from the Parliament, may be borne

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borne by the Delinquents, and other malignant and disaffected Persons; and that all his Majesty's good and well-affected Subjects, who, by Loan of Monies, or otherwise, at their Charge, have assisted the Common-Wealth, or shall, in like Manner, hereafter assist in Time of extreme Danger, may be repaid all Sums of Money by them lent for those Purposes, and be satisfied all their Charges so sustained, out of the Estates of the said Delinquents, and of the malignant and disaffected Party in this Kingdom.

On the Basis of all these *Votes and Resolutions*, a Committee of both Houses had drawn up another *Answer* to the King; which was this Day read and agreed to, and was in these Words:

To the King's Most Excellent Majesty,

The HUMBLE ANSWER and PETITION of the Lords and Commons assembled in Parliament, unto the King's last MESSAGE,

May it please your Majesty,

Their Answer to
the King's second
Message.

IF we, the Lords and Commons in Parliament assembled, should repeat all the Ways we have taken, the Endeavours we have used, and the Expressions we have made unto your Majesty, to prevent those Distractions and Dangers your Majesty speaks of, likely to fall upon this Kingdom, we should too much enlarge this *Reply*.

Therefore, as we humbly, so shall we only, let your Majesty know, that we cannot recede from our former *Answer*, for the Reasons therein expressed; for that your Majesty hath not taken down your *Standard*, nor recalled your *Proclamations* and *Declarations*, whereby you have declared the *Actions* of both Houses of *Parliament* to be *Treasonable*, and their *Persons* *Traitors*; and you have published the same, since your *Message* of the 25th of *August*, by your late *Instructions* sent to your Commissioners of *Array*: Which *Standard* being

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‘ being taken down, and the *Declarations, Proclamations,* and *Instructions* recalled, if your Majesty shall then, upon this our *humble Petition*, leave your Forces, return unto your Parliament, and receive their faithful *Advice*, your Majesty will find such Expressions of our Fidelities and Duties, as shall assure you, that your Safety, Honour, and Greatness can only be found in the Affections of your People, and the sincere Counsels of your Parliament; whose constant and undiscouraged Endeavours and Consultations have passed through Difficulties unheard-of, only to secure your Kingdoms from the violent Mischiefs and Dangers now ready to fall upon them, and every Part of them; who deserve better of your Majesty, and can never allow themselves (representing your whole Kingdom) to be balanced with those Persons, whose desperate Dispositions and Counsels still prevail so to interrupt all our Endeavours for the Relieving of bleeding *Ireland*, as we may fear our Labours and vast Expences will be fruitless to that distressed Kingdom.

‘ As your Presence is thus humbly desired by us, so is it in our Hopes your Majesty will, in your Reason, believe there is no other Way than this to make your Majesty’s self happy and your Kingdoms safe.’

September 8. The Lords received a *Letter* from the Earl of *Bedford*, General of the Horse, dated from *Shereborne*, in *Dorsetshire*, September 6th, desiring a Reinforcement of three Regiments of Foot, and three Troops of Horse: Also another from Sir *William Waller*, acquainting them with the Reduction of *Portsmouth* Town and Fort, to the Parliament’s Service.

Portsmouth reduced to the Parliament’s Service.

September 9. In the Morning of this Day, the Earl of *Essex* acquainted the Lords, That he intended to set out, in a few Hours, for *St. Alban’s*, to perform the Commands of both Houses; and therefore desired to take his Leave of them together:

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An. 15. Car. 1. Hereupon a Conference was immediately held for that Purpose.

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September.

Both Armies now drawing near one another, a decisive Battle was daily expected between *the Subjects of the same King*; contending which Party should testify their Loyalty most; those that fought *for him and with him*; or those who, under the new Distinction of these Times, professed to *defend the Political person of the King, whilst they actually fought against his Real one.*

September 10. The Lord *Montague* of *Boughton* was sent to the *Tower*, for executing the Commission of *Array* in *Northamptonshire*; (c) as was also the Earl of *Berkshire*, for attempting the same in *Oxfordshire*, tho' his Design was prevented from being put in Execution by Mr. *Hampden* and Mr. *Whitelocke* (d). The Lords being also informed, that Mr. *Asburnham* was come with a *Message* from the King, and had been in Town since Yesterday; the Usher of the Black Rod was sent to find him out, to take him into Custody, and bring him before them.

A long *Declaration* of both Houses of Parliament, to their *Brethren* in *Scotland*, was agreed to, containing many kind Expressions, &c. (e) wishing an Uniformity in Church Government might be established, for settling one *Confession of Faith*, one *Liturgy* or *Directory* of the public Worship of God, and one *Catechism*, in all the three Kingdoms. In which was inserted this *Resolution* of the *English* Parliament. *Resolved, Nem. Con.* 'That the Government of the Church of *England*, by Archbishops,

(c) Lord *Clarendon* observes, That the Parliament were so determined to punish every Person that appeared in Favour of the Commission of *Array*, that this Lord could meet with no Indulgence; although he was above Eighty Years of Age, Brother to the Earl of *Manchester*, Uncle to the Lord *Kimbolton*, and had a Son in the House of Commons very unlike himself.

History Vol. III. 3vo. Edit. p. 20.

(d) *Memorials* p. 59.

(e) Ever since the Beginning of this Parliament, the *Scotts* were styled *Brethren*; and, in Conformity with this Appellation, the Grant of 300,000 *l.* for Payment of their Army, after the Pacification, was called *Brotherly-Assistance Money*. See before in Vol. IX. p. 52.

shops, Bishops, their Chancellors and Commissaries, An. 18. Car. I.
Deans, and Deans and Chapters, Archdeacons, and 1642.
other Ecclesiastical Officers, hath been found, by
long Experience, a great Impediment to the perfect
Reformation and Growth of Religion, and very
prejudicial to the State and Government of this Kingdom; and that the same should be taken away. The Parliament
September. resolve to abolish
Episcopacy.

Nothing else material for some few Days.

Altho', by the foregoing *Resolutions* and *Answers* of both Houses, the King found there was no Accommodation likely to be had, unless he would surrender up himself and all his Friends to the Mercy of the Parliament, he was prevailed upon to make yet another Application to them for Peace: Accordingly,

September 13. A *Message* from the King, directed to the Speaker of the House of Lords, was brought in, and read *in hæc Verba*.

‘WHO have taken most Ways, used most Endeavours, and made most real Expressions, to prevent the present Distractions and Dangers, let all the World judge, as well by former Passages, as by our two last *Messages*; which have been so fruitless, that (though we have descended to desire and press it) not so much as a *Treaty* can be obtained, unless we would denude ourself of all Force to defend us from a visible Strength marching against us; and admit those Persons as Traitors to us, who, according to their Duty, their Oaths of Allegiance, and the Law, have appeared in Defence of us their King and Liege Lord, whom we are bound, in Conscience and Honour, to preserve; though we disclaimed all our *Proclamations* and *Declarations*, and the erecting of our *Standard* as against our *Parliament*. The King's
Third Message
for Peace.

‘All we have now left in our Power is, to express the deep Sense we have of the Public Misery of this Kingdom, in which is involved that of our distressed *Protestants* of *Ireland*, and to apply ourself to our necessary Defence; wherein we wholly rely upon the Providence of God, the Justice of

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our Cause, and the Affection of our good People; so far we are from putting them out of our Protection.

When you shall desire a *Treaty* of us, we shall, piously, remember whose Blood is to be spilt in this Quarrel, and cheerfully embrace it; and as no other Reason induced us to leave our City of London, but that with Honour and Safety we could not stay there; nor to raise any Force, but for the necessary Defence of our Person and the Law, against *Levies* in Opposition to both; so we shall suddenly and most willingly return to the one, and disband the other, as soon as those Causes shall be removed.

The God of Heaven direct you, and, in Mercy, divert those Judgments which hang over this Nation; and so deal with us and our Posterity, as we desire the Preservation and Advancement of the true *Protestant* Religion, the Law and the Liberty of the Subject, the just Rights of Parliaments, and the Peace of the Kingdom.

Ordered, That the Consideration of this *Message* be referred to the Committee for the Safety of the Kingdom; and that it be communicated to the House of Commons.

September 14. Sir Robert Harley brought up an Impeachment of High Treason against James Lord Strange, Son and Heir Apparent of William Earl of Derby, in these Words:

An Impeachment
against the Lord
Strange for High
Treason.

THAT the said James Lord Strange, to the Intent to subvert the Fundamental Laws and Liberties and very Being of Parliaments, and to set Sedition between the King and his People, did, upon the 15th Day of July, in this present Year of our Lord 1642, at Manchester, in the County of Lancaster, and at several other Times and Places, actually, maliciously, rebelliously, and traiterously, summon and call together great Numbers of his Majesty's Subjects, and in-

cite,

cite, persuade, and encourage them to take up Arms and levy War against the King, Parliament, and Kingdom.

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II. That the said *James Lord Strange*, in further Prosecution of his aforesaid wicked, traitorous, and malicious Purposes, did, upon the said fifteenth Day of *July*, at *Manchester* aforesaid, and at several other Times and Places, actually, maliciously, rebelliously, and traiterously, raise great Forces of Men and Horse, and levied War against the King, Parliament, and Kingdom.

III. In further Prosecution of the aforesaid wicked, traitorous, and malicious Purposes, the said *James Lord Strange*, and divers other Persons whom he had drawn into his Party and Faction, did, also, upon the said 15th Day of *July*, at *Manchester* aforesaid, maliciously and traiterously, with Force and Arms, and in an hostile and warlike Manner, kill, murder, and destroy, *Richard Percival*, of *Kirkmanshalme*, in the said County of *Lancaster*, Linen-Webster; and did then and there, at divers other Times and Places, in the like hostile Manner as aforesaid, shoot, stab, hurt, and wound divers others of his Majesty's good Subjects, contrary to the Laws and Peace of this Kingdom of *England*, and contrary to his Majesty's Royal Crown and Dignity.

IV. The said *James Lord Strange* hath set Sedition between the King and his People, and now is in open and actual Rebellion against the King, Parliament, and Kingdom.

For which Matters and Things the Knights, Citizens, and Burgesses of the House of Commons do, in the Name of themselves, and of all the Commons of *England*, impeach the said *James Lord Strange* of High Treason.

And the said Commons, by Protestation, saving to themselves the Liberty of exhibiting, at any Time hereafter, any other Accusation, &c. [in the usual Form] do pray that the said *James Lord Strange* may be put to answer all and every the Premises, that such Proceedings, Examinations, Trials, and

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our Cause, and the Affection of our good People; so far we are from putting them out of our Protection.

When you shall desire a *Treaty* of us, we shall piously, remember whose Blood is to be spilt in this Quarrel, and chearfully embrace it; and as no other Reason induced us to leave our City of *London*, but that with Honour and Safety we could not stay there; nor to raise any Force, but for the necessary Defence of our Person and the Law, against *Levies* in Opposition to both; so we shall suddenly and most willingly return to the one, and disband the other, as soon as those Causes shall be removed.

The God of Heaven direct you, and, in Mercy, divert those Judgments which hang over this Nation; and so deal with us and our Posterity, as we desire the Preservation and Advancement of the true *Protestant* Religion, the Law and the Liberty of the Subject, the just Rights of Parliaments, and the Peace of the Kingdom.

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cite,

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‘For which Matters and Things the Knights, Citizens, and Burgessees of the House of Commons do, in the Name of themselves, and of all the Commons of *England*, impeach the said *James Lord Strange* of High Treason.

‘And the said Commons, by Protestation, saving to themselves the Liberty of exhibiting, at any Time hereafter, any other Accusation, &c. [in the usual Form] do pray that the said *James Lord Strange* may be put to answer all and every the Premises, that such Proceedings, Examinations, Trials, and

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1. Judgment, may be upon them, and every one of them, had and used, as shall be agreeable to Law and Justice.'

Ordered, 'That the *Answer* to be returned to the House of Commons shall be, That this House hath received the Impeachment against the Lord *Strange*; and that they will take the best Course they can to have the Lord *Strange* brought to answer the said Impeachment.'

The Lords taking into Consideration what Course to take for sending to summon the Lord *Strange* to appear, and answer his Impeachment of High Treason; and considering that, if Messengers be sent they will be imprisoned, and if Proclamation-Writs be sent down they will not be sealed: Therefore they thought fit to communicate this to the House of Commons, to advise in this Case how Delinquents may be brought up to Trial: A *Message* was accordingly sent, by Sir *Robert Rich* and Mr. *Page*, to desire a Conference with the Commons, concerning the Impeachment of the Lord *Strange*.

September 15. The Commons sent up to desire the Lords to write to the Lord-General to advance the Army towards the Place where the King was, as soon and as conveniently as so great a Body can move, and as, in his Wisdom, he shall think fit; and that a *Petition* and *Instructions* shall be sent after him: But the Lords thought fit the Lord-General should have the *Petition* and *Instructions* before he marched his Army, and that the Commons be desired to hasten them.

An *Order* was made, in the Nature of a *Proclamation*, against the Lord *Strange*, to be printed and published in all Churches and Chapels, and all Market Towns, &c. prohibiting all Persons to join with or assist him with Men, Money, Ammunition, &c.

An *Answer* to the King's last *Message* to the Parliament was this Day read and agreed to, and ordered

dered to be presented to his Majesty by Sir Richard An. 18. Car. I.
May. It was as follows : 1642.

September.

To the King's Most Excellent Majesty.

*The HUMBLE ANSWER of the Lords and Commons
in Parliament assembled, to his Majesty's last MES-
SAGE of the 11th of September, 1642.*

May it please your Majesty,

WE the Lords and Commons in Parliament assembled, do present this our *humble Answer to the King's last Mes-*
Answer to your Majesty's Message of the 11th of
this instant *September*: When we consider the Op-
pressions, Rapines, Firing of Houses, and Murders
(even at this Time when your Majesty propound-
ed a *Treaty*) committed upon your good Subjects
by your Soldiers, in the Presence, and by the Au-
thority of their Commanders, being of the Number
of those whom your Majesty holds yourself bound
in Honour and Conscience to protect, as Persons
doing their Duties; we cannot think that your
Majesty hath done all that in you lies to prevent
or remove the present Distractions; nor so long
as your Majesty will admit no Peace, without se-
curing the Authors and Instruments of these Mis-
chiefs from the Justice of the Parliament; which
yet shall be ever dispensed with all requisite Mo-
deration and Distinction of Offences, although
some of those Persons be such, in whose Preser-
vation your Kingdom cannot be safe, nor the un-
questionable Rights and Privileges of Parliament be
maintained, without which the Power and Dig-
nity thereof will fall into Contempt.

We beseech your Majesty therefore to consider
your Expressions, *That God shall deal with you
and your Posterity, as your Majesty desires the Pre-
servation of the just Rights of Parliament*; which
being undeniable in the Thing, of such as we have
declared to be Delinquents, we shall believe
your Majesty, both towards yourself and Parlia-
ment, will not, in this Privilege we are most sen-
sible

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‘ fible of, deny us that which belongs unto the
 ‘ meanest Court of Justice in this Kingdom. Nei-
 ‘ ther hath your Majesty Cause to complain, That
 ‘ you are denied a *Treaty*, when we offer all that a
 ‘ *Treaty* can produce, or your Majesty expect; Se-
 ‘ curity, Honour, Service, Obedience, Support, and
 ‘ all other Effects of humble, loyal, and faithful
 ‘ Subjection; and seek nothing but that our Religi-
 ‘ on, Liberty, Peace of the Kingdom, and Safety of
 ‘ the Parliament may be secured from the open Vio-
 ‘ lence and cunning Practices of a wicked Party,
 ‘ who have long plotted our Ruin and Destruction.
 ‘ And if there were any Cause of *Treaty*, we
 ‘ know no competent Persons to treat betwixt the
 ‘ King and Parliament; and if both Cause and Per-
 ‘ sons were such as to invite a *Treaty*, the Season
 ‘ is altogether unfit, whilst your Majesty’s *Standard*
 ‘ is up, your *Proclamations* and *Declarations* unre-
 ‘ called, whereby your Parliament is charged with
 ‘ Treason.

‘ If your Majesty shall persist to make yourself a
 ‘ Shield and Defence to those Instruments, and shall
 ‘ continue to reject our faithful and necessary Ad-
 ‘ vice of Securing and Maintaining Religion and Li-
 ‘ berty, with the Peace of the Kingdom and Safe-
 ‘ ty of the Parliament; we doubt not but, to indis-
 ‘ ferent Judgments, it will appear who is most
 ‘ tender of that innocent Blood which is like to be
 ‘ spilt in this Cause; your Majesty, who, by such
 ‘ Persisting, doth endanger yourself and your King-
 ‘ doms; or we, who are willing to hazard ourselves
 ‘ to preserve both.

‘ We humbly beseech your Majesty to consider
 ‘ how impossible it is that any *Protestations*, though
 ‘ published in your Majesty’s Name, of your Ten-
 ‘ derness of the Miseries of your Protestant Sub-
 ‘ jects in *Ireland*, or your Resolution to maintain
 ‘ the Protestant Religion and Laws of this King-
 ‘ dom, can give Satisfaction to reasonable and indis-
 ‘ ferent Men; when, at the same Time, divers of
 ‘ the *Irish* Traitors and Rebels, the known Favourers
 ‘ of them, and Agents for them, are admitted to
 ‘ your

‘ your Majesty’s Presence with Grace and Favour, An. 18. Car. I.
 ‘ and some of them employed in your Service; when 1642.
 ‘ the Cloaths, Munition, Horse, and other Ne-
 ‘ cessaries bought by your Parliament, and sent for
 ‘ the Supply of the Army against the Rebels there,
 ‘ are violently taken away; some by your Majesty’s
 ‘ Command, others by your Ministers, and applied
 ‘ to the Maintenance of an unnatural War against
 ‘ the People here.

September.

‘ All this notwithstanding, as we never gave your
 ‘ Majesty any just Cause for Withdrawing yourself
 ‘ from your great Council; so it hath ever been, and
 ‘ shall ever be, far from us to give any Impediment
 ‘ to your Return; or to neglect any proper Means
 ‘ of curing the Distempers of the Kingdom, and
 ‘ closing the dangerous Breaches betwixt your Ma-
 ‘ jesty and your Parliament, according to the great
 ‘ Trust which lies upon us. And if your Majesty
 ‘ shall now be pleased to come back to your Parlia-
 ‘ ment without your Forces, we shall be ready to
 ‘ secure your Royal Person, Crown and Dignity,
 ‘ with our Lives and Fortunes; your Presence in
 ‘ this great Council being the only Means of any
 ‘ Treaty betwixt your Majesty and them with Hope
 ‘ of Success.

‘ And in none of our Desires to your Majesty
 ‘ shall we be swayed by any particular Man’s Ad-
 ‘ vantage, but shall give a clear Testimony to your
 ‘ Majesty and the whole World, That, in all Things
 ‘ done by us, we faithfully intend the Good of
 ‘ your Majesty and of your Kingdom; and that we
 ‘ will not be diverted from this End by any private
 ‘ or Self-respects whatsoever.’

September 17. An Impeachment of High Treason was sent up by the Commons and read, but not entered in the Journals, against the Marquis of Hertford, Lord Pawlet, Lord Seymour, John Digby, Esq; Sir John Pawlet, Sir John Stawel, Sir Ralph Hopton, Sir Charles Berkley, Sir Edward Berkley, Sir Henry Berkley, Sir Edward Rodney, Sir Francis Dod-

The Commons
 impeach the Mar-
 quis of Hertford,
 &c. of High
 Treason.

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As, 18. Car. 1. *Daddington, Edmund Windham, Thomas Smith, and Edward Kirton, Esqrs.*

September.

September 19. The Lord *Mobun*, Sir *Peter Courtney*, and Sir *Nicholas Slanning* were ordered to be sent for as Delinquents, on the Commission of *Array*. The Lord *Mobun* had sent the following Letter to the House, in Excuse of his Absence, along with the King's *Writ* of Dispensation for the same, and a Command not to obey any *Summons* from Parliament to the contrary.

To the Right Honourable the LORDS assembled in Parliament.

My Lords,

Sept. 7, 1642.

Lord *Mobun's*
Letter of Excuse
for not attending
the House.

I Must submit to your Lordships, who are to be the Acquitters of my Innocency, whether it be agreeing to the Orders of your House, the Privilege of Peers, and the Precedents of former Times, that a Peer unheard, and not a Witness examined against him, should be sent for in this Manner, as a common Rogue, to appear before your Lordships.

This certainly, if I was guilty, is a very severe Course; if innocent, is too great a Punishment: And I beseech your Lordships, if this be without a Precedent, to be very careful how you involve your Posterity in Precedents of this Nature; and I do not conceive that the Crimes objected are of that Nature, but, if your Lordships so please, they might, by the Laws of the Land, be tried in a far milder Way.

I had the Honour to sit in Parliament, as a Peer, till about the Beginning of February last; at which Time there was a great Bustle about getting your Lordships to agree with the House of Commons in the Militia; where I still gave my Vote according to my Conscience, as long as I could sit there with the Safety of my Person and Honour; which when I could no longer do, for the Tumults that then swarmed about both Houses of Parliament, I begged Leave of the King for my Absence, and left my Proxy in the Lords House: And, by reason I did not conceive myself safe from

from Tumults to this Day, I absented myself thus long from that House; and, when that Fear and Jealousy is taken away, I will not fail to attend the House again.

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For these Reasons I beseech your Lordships to revoke the said Order, and to dispense with my Absence; and, for this Favour, I will ever pray that God would so guide and direct you, that all your Proceedings may tend to the Glory of God, the Honour and Content of his Majesty, and the Peace and Good of the Kingdom.

MOHUN.

September 21. Sir Robert Harley, from the Commons, brought up a Draught of a Petition which had been framed by that House, and was to be presented to the King by their General, the Earl of Essex. The Petition ran in these Words:

WE your Majesty's loyal Subjects, the Lords and Commons in Parliament, cannot, without great Grief and Tenderness of Compassion, behold the pressing Miseries, the imminent Dangers, and the devouring Calamities, which do extremely threaten, and have partly seized upon both your Kingdoms of England and Ireland, by the Practices of a Party prevailing with your Majesty; who, by many wicked Plots and Conspiracies, have attempted the Alteration of the true Religion, the antient Government of this Kingdom, and the introducing of Popish Idolatry and Superstition in the Church, and Tyranny and Confusion in the State; and, for the compassing thereof, have long corrupted your Majesty's Counsels, abused your Power, and, by sudden and untimely Dissolving of former Parliaments, have often hindered the Reformation and Prevention of those Mischiefs. And being now disabled to avoid the Endeavours of this Parliament by any such Means, have traiterously attempted to over-awe the same by Force: And, in prosecution of their wicked Designs, have excited, encouraged, and fostered an unnatural Rebellion in Ireland, by which, in a most cruel and most outrageous Manner, many thousands of your Majesty's

The Parliament send a Petition to the King, to be presented by the Earl of Essex.

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Jeffy's Subjects there have been destroyed; and, by false Slanders upon your Parliament, and malicious and unjust Accusations, have endeavoured to begin the like Massacre here. And being, through God's Blessing, therein disappointed, have, as the most mischievous and bloody Design of all, drawn your Majesty to make War against your Parliament and good Subjects of this Kingdom, leading, in your Person, an Army against them, as if you intended, by Conquest, to establish an Absolute and Unlimited Power over them; and, by your Power, and the Countenance of your Presence, have ransack'd, spoiled, imprisoned, and murdered divers of your People: And, for the better Assistance in their wicked Designs, do seek to bring over the Rebels of Ireland, and other Forces from beyond the Seas, to join with them: And we finding ourselves utterly deprived of your Majesty's Protection, and the Authors, Counsellors, and Abettors of these Mischiefs in greatest Power and Favour with your Majesty, and defended by you against the Justice and Authority of your High Court of Parliament (whereby they are grown to that Height and Insolence as to manifest their Rage and Malice against those of the Nobility and others, who are any whit inclinable unto Peace, not without great Appearance of Danger to your own Royal Person, if you shall not in all Things concur with their wicked and traiterous Courses) have, for the just and necessary Defence of the Protestant Religion, of your Majesty's Person, Crown and Dignity, of the Laws and Liberties of the Kingdom, and the Privileges and Power of Parliament, taken up Arms; and appointed and authorized Robert Earl of Essex to be Captain-General of all the Forces by us raised, and to lead and conduct the same against those Rebels and Traitors, and them to subdue and bring to condign Punishment:

And we do most humbly beseech your Majesty to withdraw your Royal Presence and Countenance from these wicked Persons; and, if they shall stand out in Defence of their rebellious and unlawful Attempts, that your Majesty would leave them to be suppressed by that Power which we have sent against them;

them; and that your Majesty will not mix your own An. 18. Car. 1.
Dangers with theirs, but in Peace and Safety, with- 1642.
out your Forces, forthwith return to your Parliament;
and, by their faithful Counsel and Advice, compose
the great Distempers and Confusions abounding in
both your Kingdoms, and provide for the Security and
Honour of yourself and your Royal Posterity, and the
prosperous Estate of all your Subjects: Wherein, if
your Majesty please to yield to our most humble and
earnest Desires, we do, in the Presence of Almighty
God, profess, that we will receive your Majesty with
all Honour, yield you all due Obedience and Subjection,
and faithfully endeavour to secure your Person and
Estate from all Dangers; and, to the uttermost of
our Power, procure and establish to yourself, and to
your People, all the Blessings of a glorious and happy
Reign.

September.

The same Day, and by the same Messenger, the
Commons sent to the Lords a Form of the In-
structions, by which their General was to act; both
which were agreed to by them as follows:

INSTRUCTIONS of the LORDS and COMMONS now
in Parliament assembled, to be given to his Ex-
cellency ROBERT Earl of ESSEX, General of
the Army.

I. **Y**OU shall carefully restrain all Impieties, Their Instru-
Profaneness, Disorders, Violence, In- ons to him as
solence, and Plundering, in your Soldiers, as well Captain-General
by strict and severe Punishment of such Offences,
as by all other Means, which you in your Wisdom
shall think fit.

II. Your Lordship is to march with such For-
ces as you think fit, towards the Army raised, in
his Majesty's Name, against the Parliament and
Kingdom; (m) [and with them, or any Part of
them, to fight, at such Time and Place as you
shall judge most to conduce to the Peace and Safety
of the Kingdom.] And you shall use your
ut-

(m) The Passages between Crotchets are omitted in Rushworth,
but supplied from the Commons Journals.

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I. 'utmost Endeavours, by Battle or otherwise, to
'rescue his Majesty's Person, and the Persons of
'the Prince and the Duke of *York*, out of the
'Hands of those desperate Persons who are now a-
'bout them.

III. 'You shall take an Opportunity, in some
'safe and honourable Way, to cause the *Petition* of
'both Houses of Parliament, herewith sent unto
'you, to be presented unto his Majesty: And if his
'Majesty shall thereupon please to withdraw himself
'from the Forces now about him, and to resort to
'the Parliament, you shall cause all those Forces to
'disband, and shall serve and defend his Majesty
'with a sufficient Strength in his Return.

IV. 'You shall publish and declare, That if a-
'ny, who have been so seduced by the false Asper-
'sions cast upon the Proceedings of the Parliament,
'as to assist the King in the acting of those dange-
'rous Counsels, shall willingly, within ten Days
'after such Publication in the Army, return to their
'Duty, not doing any hostile Act within the Time
'limited, and join themselves with the Parlia-
'ment, in Defence of Religion, his Majesty's Per-
'son, the Liberties and Laws of the Kingdom, and
'Privileges of Parliament, with their Persons and
'Estates, as the Members of both Houses, and the
'rest of the Kingdom have done; That the Lords
'and Commons will be ready, upon their Submis-
'sion, to receive such Persons in such Manner, as
'they shall have Cause to acknowledge they have
'been used with Clemency and Favour; provided
'that this shall not extend to admit any Man into
'either House of Parliament, who stands suspended,
'without giving Satisfaction to the House whereof
'he shall be a Member: And except all Persons who
'stand impeach'd [*or particularly voted, in either*
'*House of Parliament, for any Delinquency whatso-*
'*ever: Excepting likewise such Adherents of those who*
'*stand impeached*] in Parliament of Treason, as have
'been eminent Persons and chief Actors in those
'Treasons: And except the Earl of *Bristol*, the
'Earl of *Cumberland*, the Earl of *Newcastle*, the
'Earl

* Earl Rivers, Secretary Nicholas, Mr. Endimion Porter, Mr. Edward Hide, the Duke of Richmond, the Earl of Caernarvon, the Lord Viscount Newark, and the Lord Viscount Falkland, one of the principal Secretaries of State to his Majesty.

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V. * You shall apprehend the Persons of all those who stand impeached in Parliament, or have been declared Traitors by both or either House of Parliament, or otherwise Delinquents; and you shall send them up to the Parliament to receive condign Punishment, according to their Offences.

VI. * You shall receive the Loans or Contributions of Money, Plate, or Horses, from all his Majesty's loving Subjects, which they shall be willing to make for the Support of the Charge of the Army, and better Discharge of the Service of the Common-wealth; and you shall certify all such Sums of Money, and the Value of such Horses, that the Parties may thereupon have the Benefit of the Public Faith, for Payment to be made unto them, as to others of his Majesty's Subjects, upon the Propositions [*for the Subscriptions*] of Money, Plate, and Horses.

VII. * You shall carefully protect all his Majesty's Subjects from Rapine and Violence by any of the *Cavaliers*, or other Soldiers of his Majesty's pretended Army, or by any of the Soldiers of the Army which you command; and you shall cause the Arms and Goods of any Person to be restored to them, from whom they have been unjustly taken.

VIII. * You shall observe such further Directions and Instructions, as you shall, from Time to Time, receive from both Houses of Parliament.

September 22. Mr. Pymme came up from the Commons, with a Copy of some additional *Instructions*, or *Directions*, to the former, for constituting a standing Committee of assistant Members from both Houses, in the Army; to which they also desired their Lordships Concurrence: This was also read

A Committee of both Houses appointed to attend their Army.

An. 78. Car. 1. read and approved of, and a select Number of Lords appointed for that Purpose. Their Names were, the Earl of *Essex* Lord-General, the Earls of *Peterborough* and *Stamford*, the Lords *Kimbolton*, *Wharton*, *St. John*, *Fielding*, *Hunsdon*, *Hastings*, *Brook*, *Roberts*, and *Willoughby of Parham*. These twelve, with twenty-four Commons, were to act as follows:

Instructions to
them from both
Houses.

I. **T**HE said Committee, or any four of them, whereof the said Earl of *Essex* to be one, shall have Power to meet together at such Times and Places as they shall think fit, and to consider and advise touching such Matters that shall concern the Army, as the said Earl shall think convenient. And, from Time to Time, shall acquaint both Houses of Parliament with their Resolutions therein, that both Houses may further proceed thereupon, as to them shall be thought convenient for the Public.

II. They, or any four of them, whereof the Earl of *Essex* to be one, shall have Power, and are hereby authorized, to advise and use all convenient and reasonable Means they can, to supply the Army with Money and other Necessaries: And, for that End and Purpose, are hereby authorized to take the Subscriptions of all Persons that shall give, lend, or advance any Money, Plate, or other Provisions whatsoever, necessary for the Army, and shall give a Note unto all such Persons that shall so lend or advance, expressing the Nature and Particular thereof; which Note, subscribed with the Hand of the said Earl of *Essex*, and any three of the said Committee, whereof two to be of the House of Commons, shall be sufficient Warrant for the Party that shall so lend or advance, to receive the same again, with Interest after the Rate of 8*l.* per Cent. out of such Monies as shall be collected for the Affairs of this Kingdom, and both Houses do engage the Public Faith for the same.

III.

III. ' They, or any four of them, whereof the Earl of *Essex* to be one, shall have Power, and are hereby authorized, to sit with the said Earl; and to examine all such Persons as shall be sent for, apprehended or brought before them, by virtue of any *Warrant*, sent and issued under the Hand of the Lord-General; and shall have Power to continue them in safe Custody, and send them up to Parliament, or discharge them, as they shall think fit, and shall most tend to the Public Good.'

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September 23. An *Order* was made for raising, speedily, 1000 Dragoons and some Troops of Horse, to be sent against the Lord *Strange* and his Party, in *Lancashire*.

Nothing else material happen'd, to the End of this Month; except that, on the 23d, a strict *Order* was made for all the Regiments of Horse and Foot in the Parliament's Service, to repair, forthwith, to the Rendezvous appointed for them. The Earl of *Essex* had set out from *London*, in great State, says *Rushworth*, the 9th of this Month, and went to his Head Quarters at *St. Alban's*: From thence he marched to *Northampton*; where, soon after, his whole Army met him, making altogether about 15,000 Men.

The Earl of Essex assembles all his Forces at Northampton;

The King, after erecting his Standard at *Nottingham*, marched from thence to *Derby*, *Stafford*, and *Leicester*, and so into *Wales*. At *Shrewsbury* his Majesty's Army was increased to a considerable Body; and great Quantities of Plate being brought in to him, he erected a new Mint and had Store of Money.

And the King his at Shrewsbury.

Before this his Majesty had raised much Treasure, by receiving large Remittances from the Queen, on her pawned Jewels; by Contributions from the Lords and Gentlemen with him at *York*; and by a Loan from the University of *Oxford*. On the other Hand, the Parliament were furnished with Money, by Loans upon the Public Faith; and, by the painful Endeavours of several Ministers, and

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other Ways already described, a great Quantity of Money, Plate, and Ammunition, was brought in. Besides all this the Parliament had also taken 100,000*l.* of the 400,000*l.* voted to be raised for the Service of *Ireland*. This the King loudly complained of; but they justified it, and strove, by Recriminations, to throw the Odium of hindring the *Irish* Business upon him; as appears by his Majesty's *Message*, and the Parliament's *Answer* before given.

In the King's Progress thro' the Counties above-mentioned, he collected the Gentry and People together at particular Places, and made several Speeches to them; most, or all, of which were printed by the King's Authority at that Time, and are in *Husband's* and *Rushworth's Collections*: But, as none of these fall in the *Journals* of either House, we omit them; except one which was read in that of the Lords, on the 29th of this Month, and seems to have given them more Pain than any of the rest, by their taking such particular Notice of it. This we shall therefore insert, with the consequent Orders thereupon.

HIS MAJESTY'S SPEECH and PROTESTATION, made at the Head of his Army, between Stafford and Wellington, the 19th of September, 1642, after the reading of his ORDERS. And first

HIS MAJESTY'S SPEECH.

Gentlemen,

His Majesty's
Speech at the
Head of his Ar-
my.

‘ YOU have heard these *Orders* read; it is your
‘ Part, in your several Places, to observe them
‘ exactly: The Time cannot be long before we
‘ come to Action, therefore you have the more
‘ Reason to be careful; and I must tell you, I shall
‘ be very severe in the Punishing of those, of what
‘ Condition soever, who transgress these *Instructions*.
‘ I cannot suspect your Courage and Resolution.
‘ Your Conscience and your Loyalty hath brought
‘ you hither to fight for your *Religion*, your *King*,
‘ and the *Laws* of the Land. You shall meet with
‘ no

‘no Enemies, but *Traitors*, most of them *Brownists*, An. 18. Car. I.
 ‘*Anabaptists*, and *Atheists*; such who desire to de- 1642.
 ‘stroy both *Church* and *State*, and who have al-
 ‘ready condemned you to Ruin for being loyal to
 ‘us.

September.

‘That you may see what Use I mean to make of
 ‘your Valour, if it please God to bless it with Suc-
 ‘cess, I have thought fit to publish my Resolution
 ‘to you in a *Protestation*; which, when you have
 ‘heard me make, you will believe you cannot fight
 ‘in a better Quarrel; in which I promise to live
 ‘and die with you.’

HIS MAJESTY’S PROTESTATION.

‘I Do promise in the Presence of Almighty God, And his Protestation.
 ‘and as I hope for his Blessing and Protection,
 ‘That I will, to the utmost of my Power, defend
 ‘and maintain *the true Reformed Protestant Religion*,
 ‘*established in the Church of England*; and, by the
 ‘Grace of God, in the same will live and die.

‘I desire to govern by *the known Laws of the*
 ‘*Land*, and that *the Liberty and Property of the*
 ‘*Subject* may be, by them, preserved with the same
 ‘Care as my own just Rights. And if it please
 ‘God, by his Blessing upon this Army raised for my
 ‘necessary Defence, to preserve me from this Re-
 ‘bellion, I do solemnly and faithfully promise, in
 ‘the Sight of God, to maintain *the just Privileges*
 ‘*and Freedom of Parliament*; to govern by *the*
 ‘*known Laws of the Land*, to my utmost Power;
 ‘and particularly to observe inviolably *the Laws*
 ‘*consented to by me this Parliament*. In the mean
 ‘while, if this Time of War, and the great Ne-
 ‘cessity and Straits I am now driven to, beget any
 ‘Violation of those; I hope it shall be imputed,
 ‘by God and Man, to the Authors of this War,
 ‘and not to me, who have so earnestly laboured
 ‘for the Preservation of *the Peace of this Kingdom*.

‘When I willingly fail in these Particulars, I
 ‘will expect no Aid or Relief from any Man, or
 ‘Protection from Heaven: But in this Resolution

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An. 18. Car. 1. 1642. 'I hope for the chearful Assistance of all good Men,
'and am confident of God's Blessing.'

September.

Which give great
Offence to the
Parliament.

After the Reading this *Speech* and *Protestation*, it is entered, that 'Because these may prove of much Prejudice to the Parties that are employed by the Parliament in the Army, the House *resolved*, That a Conference be held with the Commons, in order to appoint a Committee of both Houses, to consider of somewhat to be printed by their Authority, along with the said *Protestation*, to vindicate the Reputation of those Persons concerned; and that somewhat may be expressed in it, That it is not the Intent of Parliament utterly to take away the Common Prayer-Book, as is rumoured abroad.'

About the same Time was printed the following *Speech* and *Protestation* of the Earl of *Essex*, at the Head of the Parliament's Army, before his Arrival at *Worcester*, on the 24th of *September*; which may serve as a Contrast to the foregoing *Speech* and *Protestation* of the King's, and will therefore very properly conclude the Transactions of this Month. (n)

Gentlemen and Fellow Soldiers,

The Earl of Essex's Speech and Protestation, at the Head of the Parliament-Army.

'**Y**E are at this Time assembled for the Defence of his Majesty, and the Maintenance of the true *Protestant* Religion, under my Command; I shall therefore desire you to take Notice what I, that am your General, shall, by my Honour, promise to perform toward you, and what I shall be forced to expect that you should perform towards me.

'I do promise, in the Sight of Almighty God, that I shall undertake nothing but what shall tend to the Advancement of the true *Protestant* Religion, the Securing of his Majesty's Royal Person, the Maintenance of the just Privilege of Parliament, and the Liberty and Property of the Subject; neither

(n) From the Edition of the Times, published by Henry Fowler, September the 29, 1642. This is not in any of the printed Collections.

ther will I engage any of you into any Danger, but (though for many Reasons I might forbear) I will in my own Person run an equal Hazard with you; and either bring you off with Honour, or (if God have so decreed) fall with you, and willingly become a Sacrifice for the Preservation of my Country.

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‘ Likewise I do promise that my Ear shall be open to hear the Complaint of the poorest of my Soldiers, though against the chiefest of my Officers; neither shall his Greatness, if justly tax’d, gain any Privilege, but I shall be ready to execute Justice against all, from the greatest to the least.

‘ Your Pay shall be constantly delivered to your Commanders, and if Default be made by any Officer, give me timely Notice, and you shall find speedy Redress.

‘ This being performed on my Part, I shall now declare what is your Duty toward me, which I must likewise expect to be carefully performed by you.

‘ I shall desire all and every Officer to endeavour, by Love and affable Carriage, to command his Soldiers; since what is done for Fear is done unwillingly, and what is unwillingly attempted can never prosper.

‘ Likewise ’tis my Request that you be careful in the Exercising of your Men, and bring them to use their Arms readily and expertly, and not to busy them in practising the ceremonious Forms of Military Discipline; only let them be well instructed in the necessary Rudiments of War, that they may know to fall on with Discretion, and retreat with Care; how to maintain their Order, and make good their Ground.

‘ Also I do expect that all those, who have voluntarily engaged themselves in this Service, should answer my Expectation in the Performance of these ensuing Articles:

1. ‘ That you willingly and chearfully obey such as, by your own Election, you have made Commanders over you.

E e 3

2. ‘ That

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2. ' That you take special Care to keep your Arms at all Times fit for Service, that upon all Occasions you may be ready, when the Signal shall be given by the Sound of Drum or Trumpet, to repair to your Colours; and so to march upon any Service, where and when Occasion shall require.

3. ' That you bear yourselves like Soldiers, without doing any Spoil to the Inhabitants of the Country: So doing you shall gain Love and Friendship, where otherwise you will be hated and complained of; and I, that should protect you, shall be forced to punish you according to the Severity of Law.

4. ' That you accept and rest satisfied with such Quarters as shall fall to your Lot, or be appointed you by your Quartermaster.

5. ' That you shall, if appointed for Centries or Perdues, faithfully discharge that Duty; for, upon Fail hereof, you are sure to undergo a very severe Censure.

6. ' You shall forbear to profane the Sabbath, either by being drunk, or by unlawful Games; for whosoever shall be found faulty must not expect to pass unpunished.

7. ' Whosoever shall be known to neglect the Feeding of his Horse with necessary Provender, to the end that his Horse be disabled or unfit for Service; the Party, for the said Default, shall suffer a Month's Imprisonment, and afterward be cashiered as unworthy the Name of a Soldier.

8. ' That no Trooper, or other of our Soldiers, shall suffer his Paddee to feed his Horse in the Corn, or to steal Men's Hay; but shall pay every Man for Hay 6*d.* Day and Night, and for Oats 2*s.* the Bushel. And *lastly*,

9. ' That you avoid Cruelty; for it is my Desire rather to save the Lives of Thousands than to kill one, so that it may be done without Prejudice.

' These Things faithfully performed, and the Justice of our Cause truly considered, let us advance with a religious Courage, and willingly adventure

venture our Lives in the Defence of the King and Parliament.' An. 18. Car. I. 1642.

October.

October. On the first of this Month is entered in the *Lords Journals*, a List of the *English Guard-Ships* at that Time; when the *Henrietta Maria*, the Earl of *Warwick*, Admiral, is put down at, only, 250 Men. A vast Disproportion between this and the Complement of Men in the Admirals Ships of our Days.

October 3. The Lords received a Packet of Letters from the Lord-General, in which was a Copy of one his Lordship had sent to the Earl of *Dorset*, in these Words:

My Lord,

I Am commanded by the Parliament to present their humble Desires, in a Petition to his Majesty, which I desire your Lordship would acquaint him with; that I may know his Majesty's Pleasure in what Manner he will have it presented to him, and that there may be a safe Convey for such Persons as I shall send to his Majesty with it. I held it fit to put this Trouble upon your Lordship, knowing your Nearness to the King, and believing your Willingness to do a Courtesy to

Letters from the Earls of Essex and Dorset, relating to the Parliament's Petition to the King.

Your Lordship's

Affectionate humble Servant,

ESSEX.

The Earl of DORSET's ANSWER.

My Lord,

THE King's late Arrival here last Night is the Cause I could no sooner return this Gentleman. According to your Lordship's Desire, I have acquainted his Majesty with the Petition you are ordered to present to him from the Parliament. He hath commanded me to let your Lordship know, That the Petition of the Houses shall never find his Ear shut against them;

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them; and that those whom you shall appoint to bring it (so they be none of those he hath, by Name, accused of Treason) shall come and go very safely; so as they come hither To-day, and send a Trumpet before to acquaint the King with their Entrance. (o) I rest

Your Lordship's

Shrewsbury, Sept 28.
1642.

Very affectionate Friend,

and humble Servant,

DORSET.

Next the Lord-General's Letter to the Committee of Safety was read in hæc Verba:

My Lords and Gentlemen,

HAVING received from both Houses of Parliament a Petition to his Majesty, I did send a Letter to the Earl of Dorset, by Mr. Fleetwood, unto which I received Answer last Night: And because the Answer concerns much the Parliament, I held it fit to send you Copies of both, and I desire they may be presented to both Houses. Your Lordships will quickly see the Difficulties arising from this Answer; not only in the Ambiguity of the Phrase, He hath, by Name, accused of Treason, which both Houses are themselves declared already, by his Majesty's Proclamations and Declarations, set forth before my Coming from Parliament; but also the Uncertainty of what other Proclamations have been since made, and who therein have been personally named; and chiefly in this, That admitting this doubtful Phrase to be intended strictly, I cannot send such who have been already accused by Name, without exposing them to the uttermost Hazard; and to send others, who are not personally named, might, upon this Restriction, allow that Exception; and thereby deeply wound the Parliament, who
never

(o) Lord Clarendon informs us, That the Earl of Essex's Letter was sent by Mr. Fleetwood, only a Trooper in his Guards, without a Trumpet, or any Ceremony. This Mr. Fleetwood afterwards raised himself to the Rank of a General, and was one of Cromwell's Upper House.

never admitted any such Restriction. This causeth An. 18. Car. I.
me to suspend the sending of the Petition, and to 1642.
make this Address to the Committee. I am

October.

Your Lordships humble Servant,

Worcester, Sept. 29.
1642.

ESSEX.

A Conference being held on the Contents of these Letters, both Houses came to the following Resolutions:

1. 'That it doth not stand with the Honour and Privilege of Parliament, that the *Petition* be delivered to the King under the Restrictions mentioned in the Earl of *Dorset's* Letter.' Resolutions of both Houses thereupon.

2. 'That the Lord-General shall signify unto his Majesty, by such Means as he shall think fit, the Resolutions of both Houses of Parliament, concerning the Delivery of this *Petition*.' But this second Resolution was altered by the Lords, viz. 'That the Lord-General, by himself, or such Hands as he shall think fit, shall, with all convenient Speed, deliver the *Petition* unto his Majesty.'

3. 'That the Lord-General shall be desired to proceed, according to his former Instructions, in such Manner as, in his own Judgment, he shall think fittest and most advantageous to the Service.'

We have already mentioned the King's Removal from *York* to *Nottingham*, his erecting his Standard there, and his Progress from thence to *Shrewsbury*; as also the Earl of *Essex's* March from *London* to *Worcester*; so that at this Time the two Armies were drawn very near each other. We shall next cast our Eyes towards the North, to see how Matters stood in that Part of the Kingdom.—When his Majesty left *Yorkshire*, he appointed the Earl of *Cumberland* General of the Forces raised by the Commission of Array: And such of the Gentry of that County who sided with the Parliament, associated themselves under the Lord *Fairfax* as their Commander in Chief. This latter Affair being communicated to the Joint-Committee of Parliament, appointed to consider of the Safety of the Kingdom,

Some of the Yorkshire Gentry associate themselves, for the Parliament, under the Command of Lord Fairfax.

An. 18. Car. I. dom, they sent down the following *Ratification* of the Lord *Fairfax's* Election to that Command. (p)

1642.

October.

My Lord and Gentlemen,

A Letter from the Committee of Safety, in Approbation thereof.

WE have received Information that, at a late Meeting at Leeds, divers worthy Gentlemen and others, well affected Inhabitants of Yorkshire, have declared themselves desirous to preserve the Peace of that County; and to secure his Majesty's Subjects from those violent Oppressions, executed upon their Persons and Estates, by the Earl of Cumberland, the Lord Savill, and others, by Pretence of the Commission of Array, and other Commissions against Law: And for that Purpose have thought upon a Noble Person of your County, the Lord Fairfax, to command in Chief over the Forces of that Shire; and that John Hotham, Esq; lately conferred much Help and Furtherance to this Noble Resolution, by coming out of Hull with some Forces, both Horse and Foot: Hereupon we have received Direction from both Houses of Parliament to signify unto you their Approbation, and to give all Encouragement and Assistance in these Proceedings, as conducing much to that great Work which the Parliament hath undertaken, to secure Religion, and the Liberty, and the Peace of the Kingdom, which are much endangered by the ill Counsel about his Majesty, and the War now raised against the Parliament. In Performance whereof we have thought good, hereby, to desire and authorize you to draw the Forces of that County together, under the Conduct of the Lord Fairfax; and to defend his Majesty's Subjects, in their Persons and Liberties, against the said Earl of Cumberland, or any other that shall oppress the same, by Pretence of any Commission whatsoever. And for your better Performance hereof, we intend to send down, very speedily, some Forces of Horse and Foot from hence, as likewise some experienced Officers with ample Instructions, in such Manner as hath been given to other

Parts

(p) This *Ratification*, with the following Letter to Lord *Fairfax*, and the Declaration of Parliament thereupon, are copied from the Originals, yet remaining in the Hands of *Thomas Pulleyn*, of *Barley*, in *Yorkshire*, Esq; a Gentleman descended from a Branch of the *Fairfax* Family.

Parts of the Kingdom in the like Case; and to commend the Lord Fairfax to the Earl of Essex, intreating his Excellency to send him a Commission to the same Effect. And, in the mean Time, we have sent this Bearer, of Purpose to give you Notice of the Intention and Order of the Lords and Commons in Parliament, and of our particular Care to second your good Affections and Endeavours in this so necessary and advantageous Service of the Kingdom, and so remain

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Westminster, 27^o 7bris.
1642, at 8 of the Clock
at Night.

A. NORTHUMBERLAND.

H. VANE.

THO. BARRINGTON.

HENRY MARTEN.

J. PYM.

But notwithstanding the Committee of Parliament had expressed so much Satisfaction at this Yorkshire Association, a very few Days after a Meeting was held at Rotherham by the two Chiefs, the Earl of Cumberland and Lord Fairfax, and several of the principal Gentry of both Parties; where they not only agreed to certain Articles for observing a Neutrality in that County, but even sent them up to Parliament for Confirmation.—Instead of ratifying them, both Houses agreed to disannul them; and immediately dispatched the following Letter and Declaration to Lord Fairfax.

But they afterwards agree upon Articles of Neutrality with the Earl of Cumberland;

My Lord,

Oct. 4. 1642.

YOUR Letter and Articles were taken into Consideration by the Houses of Parliament, whose Sense concerning them you may understand by their Declaration here inclosed; and withall how constant they are to the good Esteem which they had before of your Affections to the Peace and Liberty of the whole Kingdom. To that Purpose we have thought fit to address these unto your Lordship; recommending unto your Care and Fidelity the great Trust reposed in you by your Country, and confirmed by both Houses of Parliament. We do hereby most earnestly desire your Lordship to go on actively in this Service, for the Advantage of so public a Cause, and of your own Honour. To perfect this Work we have sent you Assistance of Horse, Foot, and other

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An. 18. Car. I. *other Provisions, which shall not fail to be increased as there shall be Occasion. We do therefore hope to receive News of such your Resolution, and expect your speedy Answer, remaining,*

1642.

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\ My Lord,

Your very affectionate Friends,

A. NORTHUMBERLAND.	THO. BARRINGTON.
HOLLANDE.	H. VANE.
GREY of Warke.	J. PYM.
W. PIERRPONT.	ANTH. NICOLL.

Which are disannulled by the Parliament.

‘ UPON Perusal of certain Articles, dated the 29th of September, 1642, betwixt the Lord Fairfax and divers other well-affected to the Peace of the Kingdom, and Mr. Bellasis and others, who have declared themselves, in sundry Actions, Opposers of the Proceedings of the Parliament, and Furtherers of the War raised against them, and of many grievous Pressures lately exercised upon the good Subjects, Inhabitants of the County of York; and being confident that if the Lord Fairfax, and the rest of the Gentlemen on his Part, had known by what Acts and Designs this Agreement was plotted on the other Side, and how dangerous and mischievous it must needs be, both in the Effect and in the Consequence, their good Intentions to the Peace of that County, and of the Kingdom, are such, that they would never have consented to any Thing so prejudicial thereunto, as this seeming Neutrality would be; by making that County many Ways serviceable to those ill Counsels, whereby his Majesty is incited against his Subjects, and no Way useful to the Parliament, in protecting of them: Wherefore the Lords and Commons do declare,

1st, ‘ That none of the Parties to that Agreement had any Authority, by any Act of theirs, to bind that County to any such Neutrality as is mentioned in that Agreement; it being a peculiar and proper Power and Privilege of Parliament, where the whole Body of the Kingdom is represented, to bind all or any Part thereof.

2dly,

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2dly, ' That it is very prejudicial and dangerous to the whole Kingdom, that one County should withdraw themselves from the Assistance of the rest, to which they are bound by Law, and by several *Orders* and *Declarations* of Parliament.

3dly, ' That it is very derogatory to the Power and Authority of Parliament, that any private Men should take upon them to suspend the Execution of the *Ordinance* of *Militia*, declared by both Houses to be according to Law, and very necessary at this Time for the Preservation of the Peace and Safety of the Kingdom.

4thly, ' That many Things in that Agreement are very unequal, contrary to the Nature of a Neutrality, (being much more advantageous to one Side than to the other) prejudicial to the public Defence of the Kingdom, undertaken by the Parliament, and would be a great Impediment to that good Agreement betwixt his Majesty and his Subjects; which both Houses do so earnestly desire and endeavour.

' For these and other Reasons, we hold ourselves bound in Conscience, in Performance of the several *Protestations* that we have made, to hinder all further Proceedings upon that Agreement; and therefore it is ordered by both Houses of Parliament, that no such Neutrality be observed in that County, which will advantage the Forces raised against the Parliament, and no way benefit *Yorkshire*; but rather be most dangerous to them by keeping that County without any defensive Force, whereby it will be open to the King to bring back his Army at his Pleasure, and to make that his Winter Quarters; to which the Plenty of that County and Nearness of *Newcastle* for Supplies by Sea, are like to invite him; whereby it will become the Seat of the War: And if this should not fall out, yet if the rest of the Kingdom be suppressed, what Hope can *Yorkshire* have but to be involved in the Public Misery? And therefore, in Wisdom for themselves, and Justice to the State, they ought not to withdraw themselves from the Common Cause; but to join with the Parliament, in Defence of the Religion and Liberty of the whole Kingdom; and, with them, to labour by all good Means to procure a general Peace, and Protection

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tection from the King for all his Subjects; which both the Houses of Parliament have, by many humble *Petitions*, desir'd of his Majesty, but cannot yet obtain: And if they should suffer any particular Counties to divide themselves from the rest of the Kingdom, it will be a Means of bringing all to Ruin and Destruction. Wherefore it is further *declared*, That neither the Lord *Fairfax*, nor the Gentry of *Yorkshire*, who are Parties to those Articles, nor any other Inhabitants of that County, are bound by any such Agreement; but they are required to pursue their former Resolutions, of Maintaining and Assisting the Parliament in Defence of the Common Cause, according to their *General Protestation*, wherein they are bound with the rest of the Kingdom, and to the *Particular Protestation* by themselves lately made; and according to such *Orders* and *Commissions* as they shall receive from both Houses of Parliament, from the Committee of Lords and Commons appointed for the Safety of the Kingdom, or from the Earl of *Essex* Lord-General.

Jo. BROWN Clericus Parliamentor.

Advice of the King's coming to London with his Army.

Both Houses seem now extremely busy, for several Days, in issuing out *Orders* for Payments of Money, on different Affairs, but all towards carrying on the War; with other Matters of less Concernment, such as sending for Delinquents, and imprisoning them: But no public or private Bills, or even a private Cause, are so much as mentioned in either *Journal*; Provision for their own Safety being now their principal Business, as appears by the *Journals* of the 12th of this Month; where we are told, That, at a Conference held that Day, the Lords were informed that the Committee of Safety had, the Night before, received Letters of the King's Intentions to leave *Shrewsbury*, and march with his Army directly towards *London*. On this Intelligence the Commons desired, lest the People should be frightned and taken unawares, that the aforesaid Committee might draw up a *Declaration*, to be published through all the neighbouring Counties, for the Train'd Bands and all the Forces, in and about *London*, to be put into a Posture of Defence, and be placed under such Officers as that they may be ready

ready at an Hour's Warning. Two Days after a An. 18. Car. I.
yet greater Precaution against a Surprize was taken : 1642.
For

October.

October 14. it was ordered, That Guard Houses, The Parlia-
with Posts, Bars and Chains, be forthwith erected ment's Orders
and set up, in such Places and By-lanes, in the Pa- for Defence of
rishes of St. Margaret's, Westminster, St. Martin's the City.
in the Fields, in the Confines of Westminster; St.
Clement's, Danes; St. Mary, Savoy; St. Andrew's,
Holborn; St. Giles in the Fields; Covent Garden,
St. John's-Street; St. James at Clerkenwell; St.
Giles Cripplegate; Shoreditch, White-Chapel, Isling-
ton, Mile-End, Southwark, and Lambeth, as should be
thought necessary and convenient for the Defence
and Safety of London and Westminster: And that
the Train'd Bands and Volunteers of the said Pa-
rishes should be under Arms, and keep Watch Day
and Night; that they should seize and arrest all su-
spicious Persons, Arms, or Ammunition, passing or
repassing thro' the said Places, and them keep till
the Pleasure of the Parliament was known. How-
ever, in the Midst of these Fears and Confusions,
the House of Commons had Time to think of Re-
ligious Matters; for,

October 15. A Bill was sent up to the Lords, Bill for calling an
which had passed the other House, intituled, *An Act* Assembly of Di-
for calling an Assembly of godly and learned Divines, to vines.
be consulted with by the Parliament, for settling the
Government and Liturgy of the Church of England,
and for vindicating and clearing the Doctrine there-
of from false Aspersions and Interpretations. The
Commons desired the Lords to give Expedition to
this Bill, because it was to commence on the fifth
of February next; and it was read a first Time this
Day.

Next Day a Conference was held between the
two Houses, in which the Commons delivered the
following *Resolutions* for their Lordships Concur-
rence; which was granted.

Re-

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An. 18. Car. I. *Resolved*, 'That such Persons as shall not contribute to the Charge of the Common-wealth, in this Time of imminent Danger, shall be held fit to be disarmed and secured.'

1642.

October.

Resolutions as to Contributions to the Parliament-Loan, Bishop's Rents, and the King's Revenue.

Resolved, 'That the Fines, Rents and Profits, of Archbishops, Bishops, Deans, Deans and Chapters, and of such notorious Delinquents as have taken up Arms against the Parliament, or have been active in the *Commission of Array*, shall be sequestered for the Use and Service of the Common-wealth.'

Resolved, 'That the King's Revenue, arising out of Rents, and Fines in Courts of Justice, Compositions for Wards, and the like, and all other his Majesty's Revenues, shall be brought into the several Courts and other Places where they ought to be paid in; and not issued forth nor passed out, without *Orders* from both Houses of Parliament.'

In Consequence of the first of these *Resolutions* many Persons, who refused to lend Money, were sent for by the Commons as Delinquents; of whom we shall mention one only as an Instance: Mr. *Fountayne*, a Barrister at Law, being asked by the Speaker, Whether he would contribute any Thing in this Time of common Danger; said, He did humbly desire that he may not be compelled to give any Answer. But being pressed to give his Reasons for refusing to make any Answer, he replied, Because he conceived it to be against the *Petition of Right*. Hereupon the Commons *resolved*, That he be committed Prisoner to the *Gatehouse*, there to remain during the Pleasure of that House for his Contempt; and that his Arms be seized and taken from him by the Sheriffs of *London*. However, a few Days after, upon Mr. *Fountayne's* humble Petition, the Commons gave him Leave to go, with the Keeper of the *Gatehouse*, to bury his Wife; but this Liberty not to exceed four Days. A Committee was, also, appointed to prepare a *Declaration* to set forth, That this Demanding of Contribution upon the *Propositions*, is according to Law; and to set a Mark of Malignity and Disaffection upon such as shall

shall refuse to contribute, in this Time of common Danger. An. 13. Car. I. 1642.

Next was read a *Declaration*, ordering all Train'd Bands to be in a Readiness ; which, since the Style of it exceeds all the Accusations that have been hitherto laid against the King and his Party, and is omitted in *Rushworth*, we shall insert: Observing, that this *Declaration* was also agreed to by the Lords, without any Amendments, and ordered to be printed and published.

October.

THE Lords and Commons in Parliament, considering, with much Tenderneſs and Compassion, the miserable Condition of this Kingdom, distracted and distempered with many present Evils and imminent Dangers, and brought now to such Height of Extremity of Misery, that two *English* Armies are near together, even ready to join in a dreadful and bloody Encounter, thro' the violent and wicked Counsel of those who have captivated both the Person and the Power of the King to their own impious and traitorous Designs, do thereupon think good to publish and declare the same to the Kingdom; together with some Directions and Provisions which may prevent the utter Desolation and Ruin both of Religion and Liberty, already overwhelmed and suppressed in the Intention and Hope of those Rebels and Traitors about the King; to which Purpose it is desired by both Houses, that all well-affected Subjects may take Notice of these Particulars, that the King, by the Help and Assistance of the *Papists*, the Prelatical and corrupt Part of the Clergy, the delinquent Nobility and Gentry, and by the Confluence of some notable Traitors from beyond the Seas, the Lord *Digby*, *O'Neale*, and others, and of many desperate, mercenary, and ill-affected Persons from all Parts of the Kingdom, hath raised an Army, armed, cloathed, and fed, for the most Part, with the Spoils of his Subjects; giving them Leave to plunder and rob all Sorts of People

The Parliament's Order for assembling the Trained Bands.

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People, and to exact Money and Plate from Corporations, by threatening Fire and Sword if they should refuse it.

That this wicked Counsel doth not only hinder his Majesty from exercising the Justice and Protection of a King towards his People, but even that Honour which is observed betwixt Enemies; for, by a confident Instrument of his Majesty, Sir *John Henderson*, a *Papist*, as we are credibly informed, one *David Alexander* was urged to kill Sir *John Hotham*, telling him it would be a good Service both to God and the King; which he refused to do, saying, *It was the Work of a Butcher, and not of a Soldier.* This *Alexander* being a *Scotsman* of a very poor Fortune, and of a Mind fit for desperate Attempts, the King sent for him twice while he was at *Beverley*; and when he came to his Presence he spake to him publickly in the Field, and appointed a Sum of Money to be given him, which he received.

After which another Proposition was made to him by the said Sir *John Henderson*, that he would put Fire to the Magazine of the Army raised by the Parliament; and to gain the better Opportunity to effect it, that he should labour to get some Employment in the Train of Artillery, which he undertook, and endeavoured to obtain; but before he could effect his mischievous Intention, he was discovered, apprehended, and examined, and thereupon confessed the Practice and Undertaking; the Particulars thereof are referred to the Examinations thereupon taken. That the King doth send out Letters to borrow great Sums, professing, That those who will not lend him Money do give him just Cause to suspect their Duty to his Person and the Peace of the Kingdom: And this will be a sufficient Reason to make them liable to be plundered and spoiled of all they have; but such is the Violence of the King's Army, that their Friends are in little better Case than they who oppose them; and those who escape best must yet feed and billet the Soldiers for nothing.

In

‘ In those Places where the Trained Bands are
 ‘ willing to go forth to serve in his Majesty’s Army,
 ‘ yet, for the most Part, their Arms are taken from
 ‘ them, and put upon those who are more merce-
 ‘ nary and less interested in the Common-Wealth,
 ‘ and so likely to be fitter Instruments of Rapine
 ‘ and Spoil.

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‘ By these great Violences and Oppressions they
 ‘ have so exhausted those Parts, that his Majesty
 ‘ cannot stay long about *Shrewsbury*; and it is the
 ‘ earnest Desire of the Cavaliers, that he would
 ‘ march forward towards *London*, those rich and
 ‘ fruitful Counties in the Way being like to yield
 ‘ them a Supply of their Necessities, and the Wealth
 ‘ of *London* a full Satisfaction of their Hopes; where
 ‘ they likewise think to find a Party, which, upon
 ‘ his Majesty’s Approach, may make some Disturb-
 ‘ ance, and facilitate their Designs upon the City.

‘ That if the King’s Army prevail, the good
 ‘ Subjects can expect nothing but that their Lives
 ‘ and Fortunes will be exposed to the Malice and
 ‘ Rapine of those ravenous Soldiers, who often talk
 ‘ of cutting the Throats of honest and religious
 ‘ Men, and have long expected their Goods and
 ‘ Estates, as the Rewards of their Service; the
 ‘ Kingdom will again fall under the Government
 ‘ of those mischievous Counsels, who, before this
 ‘ Parliament, had even brought both Religion and
 ‘ Liberty to Ruin; and we shall have no Hope left
 ‘ of any more Parliaments, but such as shall be
 ‘ concurrent and subservient to these Ends.

‘ The Means of curing and preventing these
 ‘ Evils and Dangers we conceive to be these:

‘ That good Provision be made, by Loan and
 ‘ Contribution, for the Army raised by the Parlia-
 ‘ ment under the Lord-General the Earl of *Essex*,
 ‘ which is no whit inferior in Horse and Foot to
 ‘ the King’s Army, better armed, full paid, re-
 ‘ strained from Disorder and Rapine as much as
 ‘ may be; well provided of all outward Necessaries,
 ‘ but above all, well encouraged and instructed in

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the Goodness of the Cause, by the Labour of many godly and painful Divines.

That this Army be ready always to attend the Removes of the King's Army, either in one Body or divided, as there shall be Occasion, according to the wise Conduct and Direction of the Lord-General; that so no Opportunity of fighting upon Advantage be lost, nor the greedy Soldiers of the King's Army suffered to range and spoil the Country at their Pleasure.

That the Counties through which the King's Army is to pass, do associate themselves, and draw all their Forces together, for the mutual Defence of their Persons and Goods from Oppression and Spoil.

That those Counties be required to send in all their Horses fit for Carriages and Dragoons, as well for the Assistance of the Lord-General; (for which, in convenient Time, they shall receive Satisfaction) as likewise that by such Means those Horses may be kept from being employed by the King's Army.

That Command and Direction be given to all Lieutenants of Counties and Deputy-Lieutenants, that all the Trained Bands and all Volunteers be put into Readiness to be brought to such Rendezvous, and to be obedient to such Commanders in Chief, as shall be appointed by the Committee for the Safety of the Kingdom, or by the Lord-General; that so the King's Army may find Opposition in every Place as they pass, and the Inhabitants may have at hand a sufficient Protection and Defence; and the Lord-General may strengthen his own Army with these Forces, as he shall see Cause.

That Powder, Munition, and Ordnance, with all other Necessaries, be prepared for these Forces; that so, without any Trouble or Confusion, they may be brought together, and fitted for Service upon all sudden Occurrences.

That all those who, in the City of *London* or any other Place, shall wear any Colours or other Marks

‘ Marks of Division, whereby they may be distinguish’d from others, and known to be of the Malignant Party, shall be examined, searched, and disarmed; as likewise all others who, being able, shall not lend or contribute towards the Public Safety of the Kingdom in this Time of so great and imminent Danger.

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‘ That it be commended to the serious Consideration of those in the King’s Army, and of all others that intend to assist and succour his Majesty in this impious and unnatural War, (amongst whom it may be hoped there are some honest Men and Protestants) what it is that moves them in this Quarrel.

‘ Is it for Fear of some Innovations and Alterations of Religion, or Church-Government? Let such as are possess’d with this vain and causeless Apprehension know, that nothing is intended or designed, but to take away the Government by Bishops, which hath been so constantly and evidently mischievous to the Church and State; with such other Things as shall be found to be justly offensive; and nothing to be settled and introduced but by Authority of Parliament, after Consultation first had with an Assembly of learned and reverend Divines.

‘ Is it to uphold the Authority, Prerogative, and Honour of the King, and to preserve the Safety of his Royal Person? Surely the Parliament is, and ever hath been, ready to do any Thing that belongs to them to secure all these; which they have often testified by many humble *Petitions* to his Majesty.

‘ If there be no Cause, for any of these Respects, to seek the Destruction of the Parliament, and the Blood and Ruin of their Kindred, Friends, and Acquaintance; what remains then to be the Matter of the Quarrel, the Motives of such great Combustions, and the Effects and Consequences of their Victory if they should prevail? That Priests, Jesuits, and the Pope’s Nuncios, may domineer and govern in the King’s Counsel, as here-

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tofore; that the Archbishops of *Canterbury* and *York*, and their Suffragans, may suppress diligent and powerful Preaching, banish and oppress all the most pious and best affected Subjects of the Kingdom, and introduce the Popish Religion, under Protestant Profession; till they have Strength and Boldness to cast off the Disguise, and openly appear that which indeed they are, and would not seem to be.

That the Earl of *Bristol*, and his Son the Lord *Digby*, Mr. *Fermyn*, and other such Traitors, may possess the great Places and Government of this Kingdom; and be the Arbiters of the Affairs of State, and Distributers of Preferments and Disgraces to such who shall further or oppose their Designs.

That the Delinquents, Oppressors, and Destroyers of the Kingdom, may not only escape the Justice of the Parliament, but triumph in the Spoils of all honest Men and good Patriots; that, through our Troubles and Divisions, the Rebels in *Ireland* may prevail; that we may cease to be a free Nation; and become the Object of Cruelty and Oppression at home, and of Scorn and Infamy abroad.

And if there can be no other Fruit of their Hazard and Endeavours on that Side, let them then consider whether, by adhering to the Parliament, they may not expect Effects more suitable to the Desires of honest Men; the Glory of God, in the Preservation of his Truth; the Peace of the Church, by securing it against the Pride, Avarice, and Ambition of the Clergy; the Honour, Greatness, and Security of the King, by freeing him from false and Traiterous Counsels, and establishing him in the Hearts and Affections of his People; the Prosperity of the whole Kingdom, by the Blessing of good Laws and a righteous Government.

October 17. Alderman *Pennington* being chosen Lord Mayor of *London*, upon the Removal of Sir *Richard*

Richard Gurney, he was ordered, on account of the Lord Keeper's Absence, to appear before the Lords in Parliament for their Approbation, before he was sworn at the Bar of the *Exchequer*. The Lords passed great Complements on the new Lord Mayor, for his experienced Duty and Loyalty to the King and Kingdom, and were well pleased the City had made such a Choice.

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Instructions were now, again, sent into most of the Counties of the Kingdom. to their Deputy-Lieutenants, &c. to be very strict in collecting Subscriptions of Money, Plate, and Horses for the Parliament's Service: Likewise for Loans; in which an Abstract of those sent into *Devonshire* may serve as a Specimen for all the rest.

Their Instructions to the Deputy-Lieutenants, for collecting Subscriptions of Money, Plate, &c.

'They had Power given them by both Houses, to convene each particular Person of Ability before them, and to demand what every Man would lend, either by the Week, Month, or in gross, for the Defence of the Kingdom.

'To declare, That those who would not contribute to this necessary Service, did, as much as in them lay, betray their Religion, Liberty, and Property; and were themselves dead Members, having no Feeling of the Calamities of the Kingdom; and therefore they should not be protected by the Horse and Arms raised in that County: And that those who shall be most notoriously refractory, shall be seiz'd on by the Dragoons, and sent up to the Parliament to give an Account why they refuse: And

'To declare, That the Parliament will take it as a Mockery and Indignity offered to them, if they do not perform their Subscription of Money or Plate, according to their Agreement: And that those who do not make such an Excuse for it, as the Major Part of the Commissioners shall judge reasonable, shall be sent to Parliament to answer this gross Abuse and Breach of Promise, &c.'

October 18. The Lord *Coventry*, who had revolted from the King to the Parliament, sent a submission to the King.

Lord Coventry leaves the King,

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five Letter to the Lords by the Earl of *Northumberland*, and offered 2000 *l.* in Money for carrying on the Cause in Hand : Alledging, That though he had subscribed, at *York*, to furnish the King with Horses, &c. he did it only for one Month, and would not contribute or meddle, in any Thing of that Nature, hereafter : Desiring to be protected, in Person and Estate, and have his Goods in *Worcestershire* restored to him. All which the Lords readily accepted of and promised him.

The Parliament
endeavour to
keep a good Un-
derstanding with
the Scots,

October 19. Many miscellaneous Orders, &c. were now made by both Houses, on different Matters ; but nothing of Moment, unless we mention the Care the Parliament took to keep well with their Brethren in *Scotland* at this critical Time, 40,000 *l.* Part of the *Brotherly Assistance* Money, being ordered to be paid immediately. And the Scots having declared their Readiness to join in the intended Reformation of the Church, and the Freeing of it from the Usurpation of Prelates and their Faction, &c. the *English* Parliament sent to acquaint them, That a Bill for this Purpose had passed both Houses, and was ready to be dispatched to his Majesty for his Royal Assent. They therefore desired them to nominate some learned and pious Divines of their Church, to assist in the intended Assembly, which was to begin on the fifth of *November* next ; and four were, soon after, sent up to *Westminster* for that Purpose.

October 20. A Conference was held, in which were exhibited some Letters from the Earl of *Essex*, dated from *Worcester*, sent to the Committee of Safety ; and, first, one from himself.

My Lords and Gentlemen,

More Letters
from the Earl of
Essex, &c. con-
cerning the last
Petition to the
King ;

*I*N Obedience to your Commands, I sent Mr. Lionel Copley, with a Letter and three Votes of both Houses, with a Desire of a Safe-Conduct to such as should be sent with the Petition to his Majesty ; my Lord Dorset's Answer I have sent your Lordships, who can

can better tell how to consider of it than I your Ser-
vant. An. 18. Car. I.
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My Lords, this Answer did not take me unprovided; for, since the first Answer I sent up to the Parliament, I expected no better. And for my Head, which is so much sought after, if God please, I intend to sell it at such a Rate that the Buyers shall be no great Purchasers.

My Lords and Gentlemen, I shall not, in this Letter, presume further upon your Patience, acknowledging the great Affairs you have; only this, assuring you, That I shall neither spare any Hazard or Pains to declare myself to be

Worcester, Oct. 18,
1642.

Your Lordships
Humble Servant,
ESSEX.

Next the Letter from the Earl of Dorset, in answer to that from the Lord-General, was read:

My Lord,

I Have received your Letter of the 15th present, and, in it, the Votes of both Houses of Parliament of the third; and have Direction from his Majesty to return you this Answer: That, if Justice had been done, the Gentleman that brought it could not expect his Liberty. And for the Address of the Petition of both Houses, as his Majesty, by my former Letter, declared his Resolution, That he would not receive any by the Hands of such as he had, by Name, proclaimed Traitors; so now his Majesty, having declared you the Principal in that Number, will not receive any by your Address: But, as his Majesty then declared by me, his Ear shall still be open to hear any fitting Address from either or both Houses of Parliament, in such Manner as his Majesty hath declared. This being all I have in Charge from his Majesty to signify unto you, I remain

Woolverhampton,
Oct. 16, 1642.

Your Servant,
DORSET.

Then

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Then followed a Letter from the Committee of both Houses in their Army, to the Committee of Safety at *Westminster*, in these Words :

My Lords and Gentlemen,

IN Obedience to the Commands of the Houses, the Lord-General dispatched Mr. Copley, Commissary-General of the Musters, to desire a safe Convoy of all such as his Excellency should send with the Petition of both Houses to his Majesty ; and, Yesterday Morning, Mr. Copley returned with the foregoing Answer, by which your Lordships may perceive that his Majesty absolutely refuses to receive any Petition by any Address of the Lord-General, as one who is there expressed to be the Principal of the Number of those whom the King hath proclaimed Traitors. This we humbly conceive to be an high Indignity and Scorn cast upon the Authority of Parliament, in the Person of his Excellency unto whom they have committed the Care and Government of their Army, in which their Religion and Safety is so much concerned ; and a final and utter Rejection of the submits, dutiful, and earnest Desires of Peace, so often laid at his Feet, with the Cries and Groans of his loyal and loving Subjects.

My Lords, we could not chuse but express this our Sense of it ; the further Consideration whereof we leave unto your Wisdoms ; and rest

Your Lordships Friends and Servants,

BEDFORD,

MANDEVILLE (p), D. HOLLES,
BROOKE, P. STAPYLTON,
WILLOUGHBY, AR. GOODWYN.

Worcester, Oct. 18, 1642.

Which are ordered to be communicated to the City of London.

After the Reading of these Letters, the Lords thought it fit that this Denial of the King's to receive the *Petition* from the Lord-General, as likewise the Danger this Kingdom and the City of Lon-

(p) So styled as Heir Apparent to the Earl of *Manchester*. In the foregoing Part of this Work he is called Lord *Kimbolton*, being summon'd to the House of Lords by his Father's Barony of that Name,

London is in by the advancing of the King's Army, with other Particulars in the last Conference, should be communicated to the Citizens, that they might be provided, and more readily come into an Association for their Defence; which both Houses had ordered to be drawn up for that Purpose. The Lord Mayor was accordingly ordered to call a Common-Hall, and a Committee of Lords and Commons appointed to deliver this to them.

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October 21. An Ordinance of Parliament was this Day read and agreed to, importing, That the Houses being credibly informed of the King's Approach to this City with his Army; and, by former *Declarations*, giving great Cause to expect their Intentions are to destroy both Parliament and City: They believe it therefore necessary, for their present Safety and Defence, that all the Stables of the City of *London*, and Suburbs, should be forthwith searched, and the Number of Horses in them, fit to be listed, taken; declaring and promising, upon the Public Faith, to satisfy and pay for such as shall miscarry in the Use of them; and the rest to be returned to the Owners of them, when this Action shall be passed and the Danger over. This Order to be sent to the Committee of the *Militia* in *London* and *Westminster*, and the Lord-Lieutenants and Deputy-Lieutenants of *Middlesex* and the neighbouring Counties.

An Ordinance for
securing all the
Horses therein.

October 22. Next follows the Earl of *Warwick's* Commission, who had been recalled from the Fleet, constituting him Captain-General of all the Forces raised, or to be raised, in or about *London*, without any Derogation to the Commission already given by Parliament to the Earl of *Essex*.

Then a *Declaration* of both Houses, which had been drawn up by the Committee of Safety, was read, agreed to, and ordered to be printed, which bore this Title, and was to the Effect following:

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A PROTESTATION and DECLARATION of the LORDS and COMMONS in Parliament, to this Kingdom, and to the whole World, Oct. 22, 1642.

The Parliament's
Protestation to
the whole World,
in Vindication of
their Proceedings.

WE the Lords and Commons in this present Parliament assembled, do, in the Presence of Almighty God, for the Satisfaction of our Consciences, and the Discharge of that great Trust which lies upon us, make this *Protestation and Declaration* to this Kingdom and Nation, and to the whole World, *That no private Passion or Respect, no evil Intention to his Majesty's Person, no Design to the Prejudice of his just Honour and Authority, engaged us to raise Forces, and take up Arms against the Authors of this War, wherewith the Kingdom is now enflamed.*

And we have always desired from our Hearts and Souls, manifested in our Actions and Proceedings, and in several humble *Petitions and Remonstrances* to his Majesty, professed our Loyalty and Obedience to his Crown, Readiness and Resolution to defend his Person, and support his Estate, with our Lives and Fortunes to the Uttermost of our Power.

That we have been willing to pass by not only those Injuries, Ignominies, Slanders, and false Accusations, wherewith we have been privately oppressed and grieved; but likewise many public Incroachments, and high Usurpations, to the Prejudice of Religion and Liberty; divers bloody, traiterous and cruel Practises and Designs, for the utter Ruin of the Church and State; so as we might, for the Time to come, have been secured from that wicked and malignant Party, those pernicious and traiterous Counsels, who have been the Authors and Fomenters of the former Mischiefs and present Calamities, which have and still do distemper this Church and State.

That for the same Purpose, and for the avoiding of Blood, we directed the Earl of *Essex* Lord-General, by himself or others, in some safe and honour-

‘ honourable Way, to cause to be delivered an An. 18. Car. I.
 ‘ humble *Petition*, wherein we did desire nothing 1642.
 ‘ from his Majesty, but that he would return in
 ‘ Peace to his Parliament; and, by their faithful
 ‘ Counsel and Advice, compose the Distempers and
 ‘ Confusions abounding in his Kingdoms, as he is
 ‘ bound to do; we therein profess’d, in the Sight
 ‘ of Almighty God, which is the strongest Obligation that any Christian, and the most solemn
 ‘ Public Faith which any such State as a Parliament
 ‘ can give, That we would receive him with all
 ‘ Honour, yeild him all true Obedience and Sub-
 ‘ jection, and faithfully endeavour to defend his
 ‘ Person and Estate from all Danger; and, to the
 ‘ uttermost of our Power, to establish him and his
 ‘ People in all the Blessings of a glorious and happy
 ‘ Reign, as it is more largely express’d in that *Peti-
 ‘ tion*.

October.

‘ For the Delivery of which *Petition*, his Ex-
 ‘ cellency hath twice sent unto the King, humbly
 ‘ desiring a safe Conduct for those who should be
 ‘ employed therein: But his Majesty refused to give
 ‘ any such safe Conduct, or to receive this humble
 ‘ and dutiful *Petition* by any Address from the
 ‘ Earl of *Essex*; saying, *That if Justice had been
 ‘ done, the Gentleman which brought the second Mes-
 ‘ sage could not expect his Liberty*.

‘ By all which, and many other Evidences and
 ‘ Inducements, we are fully convinced in our Judg-
 ‘ ments and Belief, That the King’s Counsels and
 ‘ Resolutions are so engaged to the *Papish* Party, for
 ‘ the Suppression and Extirpation of the true Re-
 ‘ ligion, that all Hopes of Peace and Protection are
 ‘ excluded; and that it is fully intended to give
 ‘ Satisfaction to the *Papists*, by Alteration of Reli-
 ‘ gion; and to the *Cavaliers* and other Soldiers, by
 ‘ exposing the Wealth of the good Subjects, especial-
 ‘ ly of this City of *London*, to be sack’d, plundered,
 ‘ and spoiled by them.

‘ That for the better effecting hereof, great
 ‘ Numbers of *Papists* have, in Shew, conformed
 ‘ them-

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‘ themselves to the *Protestant* Religion, by coming
 ‘ to the Church, receiving the Sacrament, and
 ‘ taking the Oaths of Allegiance and Supremacy;
 ‘ which some of their own Priests have encouraged
 ‘ them to do, by maintaining, *That they might do*
 ‘ *all those Things, and yet continue good Catholics:*
 ‘ Under which Cover his Majesty did, at first, be-
 ‘ gin to strengthen himself (those of that Religion
 ‘ being weak, and unable to endure the Envy and
 ‘ Discontent which the Arming of *Papists* would
 ‘ procure in the Kingdom); and therefore endea-
 ‘ voured to keep off all Jealousies and Suspicions, by
 ‘ many fearful *Oaths* and *Imprecations*, concerning
 ‘ his Purpose of Maintaining the *Protestant* Religion
 ‘ and the Laws of the Kingdom; causing some *pro-*
 ‘ *fess’d Papists* to be discharged out of his Army;
 ‘ and none to be received that would not endure the
 ‘ Test of coming to Church, receiving the Sacra-
 ‘ ment, and taking the Oaths of Allegiance.

‘ That his Majesty being now grown stronger,
 ‘ and able, as he conceives, to make good his own
 ‘ Ends by Arms, his Confidence in the Priests doth
 ‘ more clearly appear: Persons imprisoned for *Priests*
 ‘ and *Jesuits* have been released out of the Jail of
 ‘ *Lancaster*; *professed Papists* have been invited to
 ‘ rise and take up Arms; Commissions, under his
 ‘ Majesty’s Authority, have been granted to many
 ‘ of them for Places of Command in this War,
 ‘ with Power to raise Men; and great Numbers
 ‘ have been raised by them, and they daily increase;
 ‘ as namely, to Sir *Nicholas Thornton*, Sir *Thomas*
 ‘ *Howard*, Bart. Sir *Edward Widdrington*, Sir *Wil-*
 ‘ *liam Kiddell*, Mr. *Smith* of *Ash*, Mr. *Gray* of
 ‘ *Morpeth-Castle*, Mr. *Errington* of *Denington*, Mr.
 ‘ *Holby*, all of *Northumberland*, Bishoprick of *Dur-*
 ‘ *ham*, and *Newcastle*; to Mr. *Clifton*, Mr. *Walter*,
 ‘ Sir *William Gerrard*, Bart. Sir *Cecil Trafford*, and
 ‘ Mr. *Anderson* of *Lofstocke*, in the County of *Lan-*
 ‘ *caster*; divers Forces are raised, and paid by the
 ‘ Earl of *Worcester*; his Son, the Lord *Herbert*, a
 ‘ notorious *Papist*, is made General of all *South-*
 ‘ *Wales*:

‘ *Wales*: And we are further informed out of *Yorkshire*, by divers Persons of great Worth and Quality, That those that raise Forces in those Parts for his Majesty, do arm and employ *Papists*, and use their Advice in their Consultations; all which is contrary to the solemn *Oaths*, *Protestations*, and *Execrations*, whereby his Majesty bound himself to maintain the *Protestant* Religion, and the Laws of the Land; by which he endeavoured to get a Confidence in the People of his good Intentions; which, how well it is answered, we leave to the World to judge.

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‘ That Sir *John Henderson* and Col. *Cochran*, Men of ill Report both for Religion and Honesty, are sent to *Hamburgh* and *Denmark*, we are credibly informed, to raise Forces there, and to bring them to *Newcastle*; to join them with the Earl of *Newcastle* and the Army of *Papists* which they intend to raise there; and that divers Endeavours have been used, in other foreign Parts, to bring strange Forces into the Kingdom.

‘ That the King hath received about him divers *Papists* of *Ireland*, some of which are indicted of High Treason for their Rebellion there, notoriously known to have been in actual Rebellion; as namely, the Lord *Taaffe*, Sir *John Oungane*, Col. *Fitz-Williams*, proclaimed Rebels; Dr. *Meara*, indicted for the Rebellion in *Ireland*, and fled for the same, and yet appointed Physician to Prince *Rupert*.

‘ That his Majesty hath sent for the *Petition* of the *Irish* Rebels, which the Justices had stopped, with evident Expression of Favour to them; whereby that Kingdom is like to become an unfit Habitation of any *Protestants*, and a Seminary of War and Treason against this Kingdom.

‘ That divers *English* Traitors, Actors in the former Designs against the Kingdom and Parliament, are the chief Counsellors and Actors in this unnatural War against his Subjects, as the Lord *Digby*, *O’Neal*, *Wilmot*, *Pollard*, *Asburnham*, and others.

‘ That

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‘ That we have been likewise credibly informed,
 ‘ That divers *Jesuits* and *Priests*, in foreign Parts,
 ‘ make great Collections of Money, for Relief of
 ‘ the *Papists* in *Ireland*, and the furthering of his
 ‘ Majesty’s Designs here against the Parliament;
 ‘ and that by them, and some others fled out of
 ‘ this Kingdom for Treason, great Means are made
 ‘ to make up the Differences betwixt some Princes
 ‘ of the *Romish* Religion, that so they might unite
 ‘ their Strength, for the Extirpation of the *Pro-*
 ‘ *testant* Religion; wherein principally this King-
 ‘ dom and the Kingdom of *Scotland* are concerned,
 ‘ as making the greatest Body of the *Reformed* Re-
 ‘ ligion in *Christendom*, and best able to defend them-
 ‘ selves and succour other Churches.

‘ For all which Reasons we are resolved to enter
 ‘ into a solemn *Oath* and *Covenant with God*, to
 ‘ give up ourselves, our Lives and Fortunes, into
 ‘ his Hands; and that we will, to the uttermost of
 ‘ our Power and Judgment, maintain his Truth,
 ‘ and conform ourselves to his Will. That we
 ‘ will defend this Cause with the Hazard of our
 ‘ Lives, against the King’s Army, and against all
 ‘ that join with them in the Prosecution of this
 ‘ wicked Design; according to the Form to be
 ‘ agreed upon by both Houses of Parliament, to be
 ‘ subscribed by our Hands; and that we will, for
 ‘ the same Ends, associate ourselves, and unite with
 ‘ all the Well-affected in the City of *London* and
 ‘ other Parts of his Majesty’s Dominions.

‘ That we expect our Brethren of *Scotland* (ac-
 ‘ cording to the Act of *Pacification*, whereby the
 ‘ two Kingdoms are mutually bound to suppress all
 ‘ Debates and Differences, to the Disturbance of
 ‘ the Public Peace) will help and assist us in Defence
 ‘ of the Cause; which, if the Popish Party prevail,
 ‘ must needs either involve them in that Alteration
 ‘ of Religion which will be made here, or engage
 ‘ them in a War against this Kingdom, to defend
 ‘ their own Religion and Liberty: And we doubt
 ‘ not but the God of Truth, and the great Pro-
 ‘ tector of his People, will assist and enable us, in
 ‘ this

‘ this our just Defence, to restrain the Malice and Fury of those that seek our Ruin ; and to secure the Persons, Estates, and Liberties of all that join with us ; and to procure and establish the Safety of Religion, and Fruition of our Laws and Liberties, in this and all other his Majesty’s Dominions ; which we do, here again, *profess, before the ever-living God, to be the chief End of all our Counsels and Resolutions, without any Intention or Desire to hurt or injure his Majesty, either in his Person or just Power.*’

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There is no Mention of any *Answer* from the King to this *Protestation* of Parliament, in the *Journals*: We give it here for the Sake of Connection, tho’ it was printed after the Battle of *Edge-Hill*. (q) This Circumstance of Time is necessary to be taken Notice of, on account of some Expressions which carry a Reference to that Action.

‘ IF, in truth, the Framers of this *Declaration* are not engaged by any private Passion or Respect, by any evil Intention to our Person, or Design to the Prejudice of our just Honour and Authority, to raise these Forces and Army against us (as they call Almighty God to witness they are not) they will think it their Duty to disclaim the Protection of the Conductors of that Army ; who, the next Day after this so solemn *Protestation*, used their utmost Power, by the Strength of that Army, to have destroyed us, and put our Person (for whose Defence they would make the World believe this Army is raised) into as much Danger as the Skill and Malice of desperate Rebels could do ; otherwise this *Protestation*, now made, will appear of the same Nature with those by which they promised to make us a glorious King ; when, by their *Nineteen Propositions*, they endeavoured to strip us of all those Rights which made us a King and them Subjects.

The King’s Answer to it.

‘ What

(q) Printed at Oxford by Leonard Litchfield, Printer to the University, 1642.

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What those Actions and Proceedings have been, which have manifested their Loyalty and Obedience unto us, will be as hard to find, as in their humble *Petitions* and *Remonstrances*; when, in truth, their *Actions* have been the greatest Scorns of our Authority, and their *Petitions* the greatest Reproaches and Challenges of us, which any Age have produced: And we have not only the clear Evidence of our own Conscience, but the Testimony of all good Men, that we left no Action unperformed on our Part, which might have prevented the Misery and Confusion which the Ambition, Fury, and Malice of these seditious Persons have brought upon this poor Kingdom; neither is there any thing wanting to the Happiness of Church and State, but that Peace and Order which the Faction of these Men have robbed them of.

But they say, *They directed their General, the Earl of Essex, to deliver an humble Petition to us, wherein they desire nothing from us, but that we would return in Peace to our Parliament; and, by their faithful Counsel and Advice, compose the Distempers and Confusions abounding in our Kingdoms, as we are bound to do.* We were never so backward in receiving, or so slow in answering, the *Petitions* of either or both our Houses of Parliament, that there was any Need of an Army to quicken us; which either or both Houses of Parliament have, in no Case, any more Shadow of Right or Power to raise by any Law, Custom, or Privilege, than they have, by their *Votes*, to take away the Lives and Fortunes of all the Subjects of *England*; yet the Framers of this *Declaration* take it unkindly, that, upon their Profession in the Sight of Almighty God (which is, they say, the strongest Assurance that any Christian can give) we did not put ourself into their Hands, (those Hands which were lifted up against us, and filled at that Time with Arms to destroy us) and leave a Strength God had supplied us with, of good and faithful Subjects; who, notwithstanding all their Threats and Menaces, had brought

‘ brought themselves to our Assistance. If that
 ‘ *Petition* had been so humble as they pretended,
 ‘ they would not have lost the Advantage of pub-
 ‘ lishing it in this their *Declaration*; that the World
 ‘ might as well have been Witness of our Refusal of
 ‘ Peace, as it hath been of their Disdain of any Way
 ‘ to it, when they rejected our several earnest Offers
 ‘ of a *Treaty*.

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‘ But why did they not send this humble *Petition*?
 ‘ Why, His Excellency twice sent unto us for a Safe-
 ‘ Conduct for those who should be employed therein,
 ‘ and we refused to give any, or to receive the humble
 ‘ and dutiful *Petition*. Sure, when our good Sub-
 ‘ jects shall understand the strange Enmity between
 ‘ these Men and Truth, the No-conscience they
 ‘ use in publishing, and informing those by whom
 ‘ they pretend to be trusted, Things monstrous and
 ‘ contrary to their own Knowledge, they will be
 ‘ no less offended with their Falshood to them,
 ‘ than their Treason to us. ’Tis well known we
 ‘ never refused to give Admittance to any *Message*
 ‘ or *Petition* from either or both Houses of Parlia-
 ‘ ment; their Messengers have been received and
 ‘ entertained, not only with that Safety, but with
 ‘ that Candour, as is due to the best Subjects; when
 ‘ their Errand hath been full of Reproach and Scorn,
 ‘ and the Bringers, bold, arrogant, and seditious in
 ‘ their Demeanour; and therefore there needed to
 ‘ have been no more Scruple made in the Delivery
 ‘ of this, than the other *Petitions* which have been
 ‘ brought us.

‘ The Truth is, we were no sooner acquainted
 ‘ at *Shrewsbury*, by the Earl of *Dorset*, that he had
 ‘ received a *Letter* from the Earl of *Essex*, intima-
 ‘ ting, That he had a *Petition* from both Houses to
 ‘ be delivered to us, and to that Purpose asking a
 ‘ Safe-Conduct for those who should be sent; but we
 ‘ returned this Answer, That as we had never re-
 ‘ fused to receive any *Petition* from our Houses of
 ‘ Parliament, so we should be ready to give such a
 ‘ Reception and Answer to this as should be fit;
 ‘ and that the Bringers of it should come and go
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‘ *with all Safety; only we required, that none of those Persons whom we had particularly accused of High Treason should be, by Colour of that Petition, employed to us.*

‘ *After this we heard no more till a second Letter, at least a Fortnight after the first to the Earl of Dorset, informed us, That our former Answer was declared to be a Breach of Privilege, in that we would not allow any Messengers to come to us; that is, that we were not content that such Persons, who had conspired our Death, might securely come into our Presence.*

‘ *Our second Answer differed little from our former, insisting, That the Address should not be made by any of those Persons whom we had particularly accused of High Treason, amongst whom the Earl of Essex himself was one; but declaring that our Ear should be still open to hear any Petition from our two Houses of Parliament: Whether this were a Denial from us to receive their Petition, or whether, if our two Houses of Parliament had indeed desired to treat with us by Petition, they might not as well have sent it to us, as they have since done their Instructions to their Ambassadors into Ireland, and their new Bill for rooting out Episcopacy, and devising a new Form of Church-Government, let all the World judge. We have Reason to believe that the Petition then prepared for us (if we have seen the true Copy of it) was thought, by the Persons trusted for the presenting it, fitter to be delivered after a Battle and full Conquest of us, than in the Head of our Army, when it might seem, somewhat, in our Power whether we would be deposed or not.*

‘ *For that continued dishonest Accusation of our Inclination to the Papists, (which the Authors of it in their own Consciences, which will one Day be dreadful to them, know to be most unjust and groundless) we can say no more, and we can do no more, to the Satisfaction of the World. If they know that the Romish Priests have encouraged those of that Religion to conform themselves*

‘ to

' to the *Protestant* Religion, by coming to Church, An. 18. Car. I.
 ' receiving the Sacrament, and taking the Oaths of 1642.
 ' Allegiance and Supremacy, they are more con-
 ' versant with the Subtilties of them than we are; October.
 ' but we must confess, till we be certain they have
 ' found that Way to deceive us, that is, to elude
 ' the Laws which are against them, we shall, in
 ' Charity, believe their Conformity to be real, and
 ' not pretended: But that any *Priests* or *Jesuits*,
 ' imprisoned, have been released by us out of the
 ' Goal of *Lancaster*, or any other Goal, is as false
 ' (to use an Expression of their own) as the Father
 ' of Lyes could invent; neither are the Persons
 ' named in that *Declaration*, to whom Commissions
 ' are supposed to be granted for Places of Command
 ' in this War, so much as known to us; nor have
 ' they any Command, or, to our Knowledge, are
 ' present in our Army; and 'tis strange that our
 ' Oaths and *Protestations* before Almighty God,
 ' for the Maintenance of the *Protestant* Religion,
 ' should be so slighted in the End of that *Declara-*
 ' *tion*; when, in the Beginning of it, it is acknow-
 ' ledged to be the strongest Obligation and Assu-
 ' rance that any Christian can give. We desire to
 ' have our *Protestations* believed by the Evidence of
 ' our *Actions*: But they are informed (and that is
 ' Ground enough for them to lay the basest Impu-
 ' tation upon their Sovereign) that Sir *John Hen-*
 ' *derston* and Colonel *Cochran* (Men of ill Report
 ' both for Religion and Honesty) are sent to *Ham-*
 ' *burgh* and *Denmark*, (we thought we should have
 ' heard no more News from *Denmark*) to raise
 ' foreign Forces, and to bring them hither. We
 ' have before, in our *Declarations*, (sufficient to
 ' satisfy any honest Man) declared our Opinion and
 ' Resolution concerning foreign Force; and we had
 ' never greater Cause to be confident of Security in
 ' our own Subjects, and therefore cannot believe so
 ' vile a Scandal can make any Impression in sober
 ' Men.

' Let a List of the Nobility and Gentry about
 ' us, and in our Service, be viewed; and will they

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‘ not be found the most zealous in the *Protestant*
 ‘ Religion, the most eminent in Reputation, of
 ‘ the greatest Fortunes, and the greatest Fame, the
 ‘ most public Lovers of their Country, and most
 ‘ earnest Assertors of the Liberty of the Subject,
 ‘ that this Kingdom hath? How different the Re-
 ‘ putation of the principal Ringleaders of this Fac-
 ‘ tion and Rebellion is, how careful they are of
 ‘ employing virtuous and honest Men, is apparent
 ‘ to all the World; when they have entertained all
 ‘ the desperate and necessitous Persons (whereof
 ‘ very many are *Papists*, which we speak knowingly,
 ‘ as having taken several of them Prisoners) they
 ‘ can draw to them; and when they supersede a
 ‘ Proceeding, at the Common Law, for an odious
 ‘ and infamous Crime, that Mr. *Griffen* may have
 ‘ Liberty to keep them Company in this Rebellion.

‘ For our Affection and gracious Inclination to
 ‘ the City of *London*, and how far we are from any
 ‘ such Purpose as these impious Men charge us
 ‘ with, appears in our late *Proclamation*; in which
 ‘ we declare the Suburbs to be comprehended, as
 ‘ well as the Cities of *London* and *Westminster*; to
 ‘ which we doubt not they will give that Credit
 ‘ and Obedience, as we shall have Cause to com-
 ‘ mend their Loyalty in joining with us to suppress
 ‘ this Rebellion; which, uncontrolled, in a short
 ‘ Time must make that Place most miserable.

‘ For the Oath and Covenant which they threaten
 ‘ us with; if it be to engage them to do, or not to
 ‘ do, any thing contrary to the *Oaths* they have
 ‘ already taken of Allegiance and Supremacy; as it
 ‘ cannot oblige them being taken, so we doubt not
 ‘ our good Subjects will easily discern that it is a
 ‘ Snare to betray and lead them into a Condition of
 ‘ the same Guilt, and so of the same Danger with
 ‘ themselves: And we must therefore declare, who-
 ‘ soever shall hereafter suffer himself to be cozened
 ‘ by those Stratagems, and take such a voluntary
 ‘ Oath against us, we shall impute it to so much
 ‘ Malice, as will render him incapable of our
 ‘ Pardon; and shall proceed against him as a despe-
 ‘ rate

rate Promoter of Sedition, and an Enemy to the Kingdom. An. 12. Car. 1. 1642.

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Let all honest Men remember the many gracious Acts we have passed this Parliament, for the Ease and Benefit of our People; that when there was nothing left undone or unoffered by us, which might make this Nation happy, these mischievous Contrivers of Ruin, instead of acknowledging our Grace and Justice, upbraided us, with all the Reproaches Malice and Cunning could invent, in a *Remonstrance* to the People, a Thing never heard of till that Time; that having thus incensed mutinous and seditious Minds, they made Use of them to awe the Parliament, driving us and the Major Part of both Houses from our City of *London*; that they took away our Fort and Town of *Hull* from us, kept us from thence by Force of Arms, and employed our own Magazine against us; that they seized upon our Royal Navy, and with it chased our good Subjects, and kept all Supply from us; that they voted away our Negative Voice, and then raised a formidable Army to destroy us; that when they had thus compelled us to raise some Power for our Defence, (by the Help of such of our good Subjects, who, against the Fury of these Men, durst continue loyal) they absolutely and peremptorily refused to treat with us for the Peace of the Kingdom: And, lastly, That on the twenty-third Day of *October*, they brought this Army (raised for the Defence of our Person) into the Field against us; and used their best Skill and Means to destroy us and our Children. We say, whoever remembers and considers this Progress of theirs, will think of no other *Covenant* than to join with us in the Apprehending the Authors of this miserable Civil War; that Posterity may not, with Shame and Indignation, find that a few schismatical ambitious Persons were able to bring such a flourishing glorious Kingdom, which hath so long resisted the Envy of *Christendom*, to a speedy Desolation, to satisfy their own Pride and Ambition.

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‘ And we doubt not our good Subjects of *Scotland* will never think themselves engaged by the Act of *Pacification*, (to which we willingly consented) to assist a Rebellion against their own natural King, for the Assistance of Persons accused, and notoriously known to be guilty, of High Treason; the bringing of whom to condign Punishment would, with God’s Blessing, be a speedy Means of Happiness and Peace to our three Kingdoms.’

His Majesty resolves to march towards London.

The King, having by this Time greatly augmented his Army at *Shrewsbury* and the Counties adjacent, left the Earl of *Essex* behind him at *Worcester*, and resolved to march directly towards *London*. This Resolution put both Houses and the City into the utmost Consternation; the Parliament not only sent to their General to hasten after the King, but, by their late *Orders*, were endeavouring to raise another Army, under the Command of the Earl of *Warwick*, to oppose him. And,

The Parliament and Citizens prepare for their Defence.

October 24. *Orders* were given, requiring all Manner of Persons whatsoever, in *London*, *Westminster*, and *Southwark*, to shut up their Shops, and forbear their Trades; that so they might, with the greater Freedom and Diligence, for the present, attend the Defence of the said Places, and put in Execution such Commands as they should, from Time to Time, receive from both Houses of Parliament for that Purpose. And, to secure themselves within Doors, the House of Commons had thought fit to require a Declaration from each of their Members, separately, That they would be assisting to the Earl of *Essex* in this Cause, with their Lives and Fortunes; and, as a Testimony of it, to give or lend some Money, immediately, for that Service.

An *Ordinance* of Parliament was this Day read and agreed to, *For making Provision for those that should be maimed in the present War, in the Service of the Parliament; and also for the Wives and Children of those that should be slain; which seemed to be*

be providentially made; for the Battle of *Edge-Hill* An. 18. Car. I.
was fought the Day before, and many unfortunate 1642.
Persons were now intitled to the Benefit of this
Ordinance: But no Mention is yet made in the
Journals of the Event of this Battle. October.

October 25. An Order was made for putting the
City *Militia*, &c. in Motion; and another for
allowing a Maintenance to the King's youngest
Children, the Duke of *Gloucester* and the Princess
Elizabeth, then at *St. James's*, out of his Majesty's
Revenues, which the Parliament had taken into
their own Hands. The Lords adjourned to the
Afternoon of

October 26. When a *Proclamation* from the King,
entered in the *Journal* of this Day, was read, but
not mentioned who delivered it. The Contents
were these:

CHARLES R.

‘ HIS Majesty, verily believing that many of The King's Of-
his Subjects, who are now in actual Re- fer of Indemnity
bellion against him, are ignorant against whom to such as lay
they fight, is graciously pleased to promise free down their Arms.
Pardon to both Officers and Soldiers (except those
that are, by Name, proclaimed Traitors) who
shall lay down their Arms and submit themselves
to his Majesty.

‘ We command you, *Clarencieux* King at Arms,
to pronounce this above-written, before the Earl
of *Essex's* Army.’

The same Day the Lord *Wharton* made a Re- The Lord Whar-
lation of the Fight which had happened on *Sun- ton's* Relation of
day last, the twenty-third Instant, between the Par- the Battle of
liament's Forces and the King's, at a Place between *Edge-Hill*.
Warwick and *Banbury*, near a Town called *Keynton*;
and that it was conceived there were slain, of the
King's Party, 3000; and, on the Parliament's Side,
not above 300: That the Lord-General with his
Forces were retired to *Warwick*, and that the King's
Army

An. 18. Car. 1. Army was in those Parts, but that they refused to
1642. meet the Parliament's Forces on the *Monday* before
his Excellency retired. (r)

October.

Which is ordered
to be communi-
cated to the Citi-
zens of London.

October 27. The Lord *Wharton* signified to the Lords, That the Lord-General desired the Relation of the Battle at *Keynton* might be made to the City of *London*, having found so much Friendship from them to the Parliament's Cause. Hereupon the House ordered the Lord Mayor to be sent to, to call a Common-Hall to meet this Afternoon, at Five o'Clock; and an extraordinary Committee of both Houses to be appointed to go to the City, where the Lord *Wharton* was to make the Relation to them. Accordingly a Committee of ten Lords and twenty Commoners was sent; some of whose Speeches on this Occasion, being yet preserved in a Pamphlet of this very Time, and no where else that we know of, deserve our Notice. We shall therefore give them in their own Phrase and Diction: (s)

And first the Lord *Wharton*.

My Lord Mayor, and you the Aldermen and Common Council of this City,

Lord Wharton's
Speech at the
Guildhall on that
Occasion.

IN a Business of this very great Consequence and Concernment, it was very well known to my Lord-General, that you could not but be full of great Expectations; and my Lord had, according to his Duty, taken Care for to give Information to the Parliament, who had sent him, of what had proceeded: In the very next Place it was his particular Respect to this City, to my Lord Mayor, the Aldermen, the Common Council, and all the Commons of this City, that they might likewise be acquainted with the Success of that Business; towards
‘ which

(r) The King's Account of this Battle, printed at *Oxford* by *Leonard Litchfield*, and the Parliament's Relation of the same, may be seen in *Rushworth*, Vol. V. p. 33. et seq.

(s) *London*, printed for *Francis Coles* and *Thomas Bates*, 1642. In the Collections of the late Sir *Henry Goodricke* of *Ribstan*,

which they themselves had been at so much Expences, and shewed so much Love and Kindness in all their Proceedings for that Purpose: And because Letters might be uncertain, and might miscarry, there being great Interception of them, the Forces of the Armies being close together, my Lord thought fit to send Mr. *Strode*, a Member of the House of Commons, and myself: And certainly whatsoever shall be related by us to you, it will be good News, or else we should not willingly have undertaken the bringing of it; and for the Truth of it, though we already hear that there are those that have so much Malignity as to oppose it, yet the Certainty of it will clear itself; and therefore there shall need no Apologies to be made, but that which shall be said to you, shall be the Truth, and nothing but the Truth, in a very clear Way of Relation of what hath past.

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‘Gentlemen, I shall open to you, as near as I can, as it comes within my Memory, those Circumstances which are worthy the taking Notice of:

‘And first, the Occasion why so many of the Forces were not then upon the Place; which you will find to be upon very good Ground and Reason, for the Preservation of the Counties that were behind, and of this City; which is the particular Thing in the Care, and now under the Diligence, of my Lord-General to preserve. There was left at *Hereford*, which lies upon the Confines of *Wales*, a Regiment of Foot under the Command of my Lord of *Stamford*, and a Troop or two of Horse; that the Power of *Wales* might not fall in upon *Gloucestershire* and upon the River of *Severn*, and so upon the *West*. There was likewise left at *Worcester* (which you all know how it is seated upon the River of *Severn*, and what Advantage it hath to intercept all Force that shall come from *Shrewsbury* down into the *West*) a Regiment of Lord *St. John* and Sir *John Merrick*’s. There was, for the Safety of *Coventry* (for that was a Town it was likely the King might have fallen upon) the Regiment of my Lord *Rochford*; but it seems that his Excellency the

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1. the Earl of *Essex's* Army did so quickly come up to the King's, that his Majesty thought it no way fit or advantageous for him to spend any Time upon those Places, for certainly they would have very quickly been relieved; so that the King stepped by *Warwick* and *Coventry*, which, otherwise, we conceive they were Towns he had as good an Eye upon as any other Towns in the whole Kingdom excepting this. There were likewise, occasioned by the Suddenness of my Lord's March, two Regiments of Foot, one under the Command of a Gentleman you all know, Col. *Hampden*, and the other under the Command of Col. *Grantham*, with some ten or twelve Troops of Horse, one Day's March behind; bringing up some Powder, Ammunition and Artillery, which my Lord would not stay for; purposely upon his Diligence and Desire that there should not be an Hour lost in pursuing after that Army, and that he might make all Haste in coming up to this Town: And his Desire to make Haste to keep with that Army was such, that he kept, for two or three Days together, a Day's March before that Army; and so, there being another Regiment lodged in *Banbury*, occasionally, for their own Safety, there was with the Earl, when this Battle was fought upon the Lord's Day, eleven Regiments of Foot, and about the Number of thirty-five or forty Troops of Horse. That which makes me say this to you, is partly for your Satisfaction, that you may know the Reasons of the Things that are past; and partly that you may give the more Glory to God for his Blessing, and for his Preservation of that Remnant of the Army.

‘ Upon the *Saturday* at Night, after a very long March, for they came not in till nine or ten o'Clock at Night, the Army came to *Keynton*; and the next Morning, about seven o'Clock, (though all that Night there was News came that the King was going to *Banbury*) we had certain Information he was coming down a Hill, called *Edge-Hill*, which hath some Advantage by Nature for Forts and Breast-Works, and such Things as those are; and the
King's

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King's Army (that Army which, being raised by his Authority, goes under the Pretence of being raised for him and the Parliament, but really against the Parliament) coming down the Hill, my Lord of *Essex* presently drew out into the Field; and drew his Army into a Place of as good Advantage as possibly he could, tho' the other Army had the Advantage by the Hill, which they were possessed of before; and, at the Beginning of the Day, the Wind was against us, and was for the Advantage of the other Army. The Preparation on both Sides was for the making of them ready for Fight, and the King's coming down the Hill was so long, that there was nothing done till Four in the Afternoon. And, Gentlemen, I shall tell you the worst as well as the best, that you may know all; and that when you have known the worst, you may find it in your Judgments, to give the more Praise to God for his Mercy, after there was so little Probability of any Success.

' After we had shot two or three Peices of Ordnance, they began for to shoot some of theirs; and truly, not long after, before there was any near Execution, three or four of our Regiments fairly ran away. I shall name you the Particulars, and afterwards name you those that did the extraordinary Service, whereof you will find those of this City to have been very extraordinary Instruments. There were that ran away, Sir *William Fairfax's* Regiment, Sir *Henry Cholmley's*, my Lord *Kimbolton's*, and, to say the plain Truth, my own.

' Gentlemen, you see by this Time, I am like to tell you the Truth of every Thing; but yet I must say this, that tho' they did so, I hope there will be a good Number of them got together again, that may shew themselves in better Condition, and better Way of Service than yet they have done: I hope so, and, by the Blessing of God, it may be so, for they are but young Soldiers; and we have some young Soldiers that have, this last Battle, done very extraordinary and gallant Service.

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‘ Not long after there was a Charge upon the Left Wing of the Horse, where I conceive there was a Matter of eighteen or nineteen Troops ; and truly I cannot say they did so well as they should, tho’ I hope there are not many of them cut off neither, but that they will be brought together again to do very good Service hereafter ; but so it is, they had the worst of it. By this you will see that, at the Beginning of the Day, we might think it would not prove so well as it pleased God it did afterwards in the Close of the Day ; for four Troops were divided, and one Part of the Horse was not in good Order ; but it pleased God now to shew himself, for after the King’s Horse had past the Left Wing of our Horse, (I cannot say it was in any Hands but God’s own Providence) they went to the Town where all our Baggage was, (the Baggage of the Officers and the private Persons of the Army, not they of the Artillery, but the Colonels Carts and the Captains Carts, and such Provision as that) and there they took a Bait upon our Pillage, and fell a Plundering all the while the rest of the Army was fighting ; and indeed my Lord-General had some more Loss than ordinary, by some Cloaths and Money he had there ; but we may thank God they were away, for thereby the rest of our Army had better Opportunity to do the Service they did.

‘ My Lord-General himself, upon this Extremity, did begin to shew himself to be more than an ordinary Man, and indeed I think more than I have heard tell of any Man ; for he charged up at several Times, once with his own Troop of Horse, as I remember ; but I am sure with his own Regiment of Foot, which was raised here in *Essex* ; and tho’ so many ill Passages happened before, yet by his own Foresight and Encouragement, and the Encouragement of others, his Troop of Horse fell upon the King’s own Regiment, (which they had the most Hopes of) called the *Red Regiment* ; and, after a sore and bitter Fight (for to give them their Due, they fought very well, those of my Lord of *Essex*’s Regiment I mean and those Horse I spake of

of before) they killed the King's Standard-Bearer, Sir *Edward Verney*; also took the King's Standard which was raised up against the Parliament, and brought it to my Lord-General; and he delivered it to, a Servant, who was not so careful as he ought to have been; yet it was not re-taken by Force, but by the Carelesness and Negligence of some Persons: They took likewise the Earl of *Lindsey* the King's General, Prisoner, and carried him away; they took Prisoner my Lord-General's Son, my Lord *Willoughby* of *Eresby*; as also the Person you have heard so much of, and been so well acquainted with here, Col. *Lunsford*, which should have had the *Tower*, he was likewise taken Prisoner, and his Brother slain; Sir *Edward Stradling* Prisoner, and divers others of Quality, as my Lord *Aubigny*, Col. *Vavasour*, and Sir *Edward Murray*, a *Scotsman* of great Quality.

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While these were upon this Service, I must do Justice to divers other of the Officers of the Horse, which were upon the Right Wing, that did extraordinary Service too; that was my Lord of *Bedford* himself, who did very gallantly; Sir *William Balfour*, the late Lieutenant of the *Tower*, Sir *Philip Stapylton*, and all the Troop which formerly had been under some other Kind of Report, did extraordinary Service, and kept entirely to their Charge; and though they were long under the Power of the other's Canon, there being some seventeen Shot against them, they stood still; and, God be thanked, not a Man of them hurt.

There was likewise very extraordinary Service performed by my Lord *Grey* and Sir *Arthur Haselrig*, who indeed were a Help to give a great Turn to the Day, by cutting off a Regiment of the King's which was called the *Blue Regiment*; and there were many other Gentlemen of great Worth, that did very extraordinary Service too. I would not have you understand that others did not do it, because I remember not their Names, for I speak to you now but on the sudden; only these I have named come

now

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An. 18. Car. I. now to my Memory, and you will hear more of the rest upon other Occasions.

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‘ Upon the Close of the Day, we knew it for certain that the best Regiment of the King’s was cut off, and his next best Regiment, which was that under my Lord of *Lindsey*; that there were all the Prisoners taken and Persons of Quality slain I told you of; and we were informed by the Countrymen, that saw them bury their Dead next Day, and bring them up into Heaps, that there were about 3000 of theirs slain; and we cannot believe, nor we cannot have any Information to give us Reason to believe, that there were above 300 of ours slain.

‘ It is to be observed of God’s Providence in this Day’s Work, that tho’ it began so improbably, yet before the Close of the Night, which was two Hours, (for they began to fight but about Four o’Clock) we had got the Ground that they were upon; and had also got the Wind of them; and we do not know, nor by Information can conceive, that there were twenty Men of ours killed by all the King’s Canon.

‘ And when it was Night and there could be no more Fighting, we drew our Forces together, and so likewise did the King. They were then but at a reasonable Distance, it may be three Times, or six Times the Length, or some such Distance, of this Room; but in the Night the Forces of the King withdrew up towards the Hill from whence they came; and my Lord-General sent, amongst others, myself for to bring up those Forces to him, which I told you were a Day’s March behind; these were Col. *Hampden* and Col. *Grantbam*, and those Troops of Horse, and the Artillery; and about one or two o’Clock the next Morning, they came to my Lord-General, and joined with the rest of the Army.

‘ When the King had drawn his Forces up the Hill, my Lord-General drew us a matter of three Quarters of a Mile further from the Hill, that he might be out of the Power of their Canon; there we stood on our Arms all the Night, and in the Morning,

ing, drew ourselves again into the Field; but we heard no more News of the other Army, more than we saw some scattering Men, of some three or four Troops of Horse on the Top of the Hill, which came to bury the Dead, and to take away some of their Canon, and such Things as those were; but they came no more down the Hill, neither that Day, nor on *Tuesday*; though there were divers Reports came to us in the Army, and I believe came hither, that there was Fighting on *Monday* and *Tuesday*: But there was no Fighting, for the King kept on the Top of the Hill; and we came away on *Tuesday*, at four o'Clock; so that we can assure you there was no more Action, than what was on the Lord's Day.

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'Gentlemen, Now I have declared this Narration to you, I shall say no more than this, That certainly my Lord-General himself hath deserved as much in this Service, for his Pains and Care, and for the particular Success that was upon it, as truly as, I think, ever any Gentleman did; and in the next Place, that as God of his own immediate Providence did thus declare himself for the Owning of his own Cause, so you will not forget to apply yourselves to God, to give him the Glory, and to intreat his Blessing upon your future Attempts.'

Mr. *Strode* spoke next.

Gentlemen all,

'AS the Noble Lord hath told you, my Lord-General sent him up to you to give you a clear Information of what was done; and he hath given you so clear a one, that there is little left for me to say to you; only my Attestation, and that's needless. Had that been all I should have said nothing; but in the Enumeration of those Regiments that did run away, and of his own, I must needs say thus much, that, when they were all away, he staid with us in the Service all that Night. This I hold my Duty to this Honourable Person, since it was Modesty in himself to say nothing.

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‘ I shall crave Leave a little further to make you some Observation, that as God did this great Work, and we ascribe to him the Honour ; so you will look upon the Persons by whom he did it. In the first Place you have heard, when it was a thousand to one but that we had lost the Day, by the running away of the Troop of Horse and the four Regiments, that the General did draw up his own Regiment ; and that then did God begin, in them, to shew his own Work ; and not only in them, but by a Regiment raised in *Essex*, another Regiment raised in this City under the Command of Mr. *Holles*, and one Regiment of my Lord *Brooke*’s, which had the Day upon them. These were the Men that were, ignominiously, reproached by the Name of *Round-Heads* ; but by these *Round-Heads* did God shew himself a most glorious God : And truly, Gentlemen, they that will report to you the Number of our Dead, farther than we have reported them to you, must find them many Miles from the Army ; and then they were Men that ran away so far, that it was no Matter who killed them ; for our Men, kill’d any where about the Place, we cannot find in all, or think of, above 300, and you’ll say they were well lost that run away ; there were few lost of them that stood their Ground, and they that were so lost were lost with Honour : So that truly I can say no more to you, in such a Cause as this, that you have undertaken with your Purfes and with your Persons : God hath shewed himself with us ; be you but courageous and we never need doubt it. And so we say all.’

Then the Earl of *Pembroke* said,

My Lord Mayor, and you Gentlemen of the City,

The Earl of
Pembroke’s,

‘ I Am commanded, and the Reason that makes me trouble you at this Time with saying any thing, is by reason of a *Letter* I received from the Committee, which, I think, is a *Letter* of some Consequence, and fitting for you to see ; otherwise I am so ill a Speaker, after such a Declaration made to you, that I have not the Boldness to say any thing

thing to you ; but truly tho' I say little, yet I have ever had so good a Heart to this Business, that I shall ever live and die in it.

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Gentlemen, you have shewed yourselves like brave and noble Citizens ; you have acted with that Nobleness, with that Alacrity, with that Love to God, King, and Parliament, that none of your Ancestors before ever shewed more Love, nor Care, nor Zeal, nor performed better. I have only this to say to you, If the Times are such, (not that I think there is any great Peril in the King's Army now, for we have told you nothing but the Truth) yet when you have seen this *Letter*, you will find there is very good Cause for you to crown this Work ; which must be by following it with the same Zeal, Love, Care, Nobleness, and Alacrity ; which if you do, you may well crown yourselves with the Name of a glorious City, and none more.'

Here the *Letter* was read as follows:

To the Earl of CUMBERLAND, General of his Majesty's Forces in the North.

My very good Lord,

YOUR Lordship's, of the 20th of this Month, I have received by Stockdale, and have read it to his Majesty ; who willed me to signify to your Lordship, that he is well pleased with your Lordship's continuing of the Sheriff in his Place, albeit he sent a Writ for his Discharge. His Majesty takes a special Notice of your Lordship's Vigilancy and Care in the Trust he hath reposed in your Lordship, as he hath, by many gracious Expressions, declared at several Times openly, upon Conference of your Business in that County.

Your Lordship's Care of my Lady Duchess of Buckingham is, I assure you, very well taken by his Majesty.

Sir Ralph Hopton, and other Gentlemen in the West, have raised 10,000 Horse and Foot, with which they have already disarm'd all Persons in Cornwall that are disaffected to the King : They have ta-

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ken Lancelton, and are marching into Devonshire, to disarm the Disaffected there, and so intend to come to meet the King at London. There are also in Wales about 6 or 7000 Men levied for the King, which are to be under the Marquis of Hertford, that will be ready upon all Occasions to come to his Majesty; but we hope he will not need their Help, having given the Earl of Essex such a Blow, as they will make no Haste again to adventure themselves in that Cause against God's Anointed. I shall refer your Lordship to the Relation of the Bearer for the Particulars.

To-morrow his Majesty marcheth towards London, by Oxford. I am so full of Business, as I must crave your Lordship's Pardon that I write so briefly; but I am nevertheless,

Your Lordship's

Edgcot, Northamp.

Oct. 24, 1642.

Most humble Servant,

EDWARD NICHOLAS.

After reading this *Letter*, the Earl of *Holland* said,

My Lord Mayor, and you Gentlemen of the City,

The Earl of Hol-
land's,

IT is more by Obedience than Confidence, that I say any thing to you at this Time. My Lords and the Committee command me, and therefore I shall obey them. That which I shall say to you, is to observe on the Relation that this Noble Lord hath made: In the first Part of it what Deliverance God hath sent you, that in a Danger (and indeed such as, I am confident, all that were there believed the Cause of Religion, and Liberty, and all lost) you saw what a present Turn it had; such a one, as if it did not give us the Victory, yet it gave us the Advantage, that is certain; and truly a very great one, especially when it was taken from so unhappy a Condition as we were likely to be in; wherein God hath shewed us what a Danger might have fallen upon us: And certainly it is because every Man should consider, in that Danger, what he might have suffered, and what his

his Cause might have suffered; and by this to give you all Warning, that as he hath now begun to deliver you only by his Hand, and by his Power, he will expect that you will express such a Thankfulness to him for it, as now to make his Cause your Work; and to do it with your Hands boldly and with Courage.

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For by this *Letter* that you have heard read now, you see what is threatened against you: The least that you must expect as to this great Army of the King's is, that certainly, by the Disposition of those that command it, and have great Power in it, they intend you no less (and that is to be believed) than the destroying of the City and your Persons, and the preying upon your Fortunes. This is not all; for you see if this doth not prevail, or be not powerful enough, an Army must come from the *West*; you see the Preparation of another in the *North*; from all Parts of the Kingdom the Sword is drawn against you: And truly, having those ill Intentions that they certainly have, it is the wisest Course they can take; for in your City is the Strength of the Kingdom indeed: It is not only the Life but the Soul of it: If they can destroy you here, the rest of the Kingdom must all submit and yield; and, in that Yielding, must give over the Maintenance of all that is most dear to them.

Therefore, if you will now consider how God hath shewed that he hath kept the first Blow from you, by delivering of you, indeed, from such an imminent Danger as it could not be believed it could have been recovered, but by himself and by the Power of his Hand: This may give you just Encouragement to pursue all Things that are for his Glory, and for the Defence of your Religion and his Cause. I am confident, as you will do it with Thankfulness, Duty, and Sincerity to him; so, in Wisdom and Reason, you will (seeing what Threatnings there are against you) defend yourselves and your Families. Nature directs you to this as well as Piety. We only recommend this to you, that you may but know it, and take it into your Thoughts,

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An. 18. Car. 1. and into your Hearts; and then we are confident
 1642. your Hearts will be raised with so much Piety,
 October. with so much Courage, and with so much Resolution; as you will defend yourselves; and, in defending yourselves, defend us, the Parliament and the Kingdom! You may do it: You have Power, and we expect it from your Affections.'

Then Lord *Saye and Sele* made the following Speech:

My Lord and Gentlemen,

And Lord Say
and Sele's.

'**T**HAT little that I have to say, shall not be to set forth your approaching Danger; but I shall rather apply myself to stir up your Spirits, to encourage you, and to settle this Opinion in you, that, if you be not wanting unto yourselves, which cannot be imagined in this Cause, you will not have Cause to fear Danger.

'It cannot be doubted, by what you have heard, but that the Intentions of these malignant, mischievous Counsellors, and these Men of desperate Fortunes that they have gathered to them, and into whose Hands they have put our King, are, that this rich and glorious City should be delivered up as a Prey, as a Reward, to them for their Treason against the Kingdom and the Parliament; that your Lives should satisfy their Malice; your Wives, your Daughters, their Lust; and Religion itself, the dearest Thing of all others to us, should be made Merchandize of to invite *Papists*, to invite Foreigners.

'Notwithstanding their Intentions, let no Man's Heart be discouraged: You have Power enough in your Hands to bring all this Wickedness upon their own Heads, through God's Blessing: If you will use your Hands, if you will hold them up to serve your God, to defend the true Religion of Almighty God, to defend your Lives, to defend this Kingdom and the Parliament, you need not fear any Thing that can be done by this broken Army; nor fear those Things that are here written in this *Letter*,

ter, nor those Things that are falsly buzz'd abroad by a Malignant Party in your City, to amaze you.

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‘ There is no Fear of Danger, but in Security, in sitting still ; and therefore if you will be stirred up (as I cannot doubt, cannot imagine but you will) to do what every Man, both by the Law of God, and by the Law of Nature in this Case, will be induced to do, thro’ God’s Blessing, you shall both honour God, maintain the true Religion, save this Kingdom, save the Parliament, and crown your good Beginnings that God hath pleased to shew himself unto us in.

October.

‘ This is not now a Time for Men to think with themselves, that they will be in their Shops to get a little Money : This is a Time to do what you do in common Dangers ; let every Man take his Weapons in his Hand, let him offer himself willingly to serve his God, and to maintain true Religion. You may remember what God saith by the Prophet, *My Heart is set upon those People that are willing to offer themselves willingly upon the high Places :* Let every Man therefore shut up his Shop, let him take his Musket, let him offer himself readily and willingly ; let him not think with himself who shall pay me ; but rather think this, ‘ I’ll come forth to save the Kingdom, to serve my God, to maintain his true Religion, to save the Parliament, to save this noble City ; and when this Danger is overcome, I’ll trust the State that they will have a Regard unto whatsoever may be fit, either for my Reparation in any Loss, or for my Reward.’

‘ Do as you do in common Dangers, as when there is a House on Fire ; Men ask not who shall pay them their Day’s Wages ; but every Man comes forth of his Doors ; helps to quench the Fire ; brings a Bucket, if he has one ; borrows one of his Neighbour, if he has not : When the Fire is quenched then the City will regard to repair any Man that has suffered all Day. That do you ; every one bring forth his Arms, if he has any ; if he has none, let him borrow them of his Neighbour,

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or he shall be arm'd by the State; let every Man arm himself and his Apprentices, and come forth with Boldness, and with Courage, and with Chearfulness, and doubt not but God will assist you; for this is God's Cause; and that should be your Encouragement: They are *Papists*, they are *Atheists*, that come to destroy you: They come indeed, in the first and principal Aim, to destroy Religion: *Papists* are invited; they have Commissions. Are these the Men that should defend the *Protestant* Religion, when they are *Papists* and *Recusants*?

'If you shall come forth, God will go forth with you, he will fight for you, he will save you; but how?' He will not save you without yourselves. You may remember what was said, *Curse ye Meroz, because they came not out to help the Lord against the Mighty*. He needs not your Help, but he will use your Service; that he may bless you; and therefore let every Man be encouraged, let him shew his Readiness, let him shew his Forwardness. Remember what the Scripture saith, *Hear, O Israel, God is with you so long as ye are with him*. The Lord will be with you in this Cause, for it is his Cause; but then you must shew yourselves ready to be with him. But I need not use these Speeches to those that have expressed, already, so much Affection as you have done; I shall only encourage you to go on: Be not therefore daunted; let not Malignant Parties, that go up and down, and would go about to inform you that there are these Fears and these Dangers, let them not, I say, make you be wanting to yourselves; fear them not at all.

'I shall conclude with this which the good King said, *Up and be doing, and the Lord be with you*.'

Then the Lord *Wharton* spoke again.

Gentlemen,

Lord Wharton's
Second Speech,

'I shall trouble you but with a Word or two; the one is upon Part of that Narrative which I began withall; wherein, truly, I take myself to be

be very beholding to that Gentleman that spoke after me, that he did not forget to inform you of the extraordinary Blessing that God bestowed upon the Courage of honest, pious, and religious Men; for, truly, there was very few that did any extraordinary Service, but such as had a Mark of Religion upon them.

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‘That which I omitted to tell you was this, That one great Cause of our Preservation, and of the Success of that Day, was the Barbarousness and Inhumanity of Prince *Rupert* and his Troops; who, while we were a-fighting, not only pillaged the Baggage, (which was a poor Employment!) but most barbarously kill’d the Country Men that came in with their Teems, and Women and Childen that were with them. This I think comes not amiss to tell you, because you may see what is the Thing they aim at, which is Pillage, and Baggage, and Plundering; and the Way which they would come by it is Murdering and Destroying: And therefore it will come in very properly, to encourage you to that Work, which the two Noble Lords have so well opened to you, which is the standing upon your Defence.

‘I shall only add, That when you shall have so done in that Measure, and in that Proportion, which we do not doubt but you will do, because you have always shewed your Affections and your Wisdoms to be so great in carrying on of this Business: I say, when you shall have so behaved yourselves, there is no doubt but God’s Blessing will be upon it; and you will be sure to have an extraordinary Back, an extraordinary Assistance; for the Lord of *Essex*, with his whole Army, will be sure to be on one Side, when you, with your Defence, will be on the other Side; and when that Army shall lye between these two, without Question they will come to a very short Conclusion: Then you may reap the Fruit of your Labours that you have been at, to your own Benefit and your Posterity’s.’

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Earl of Holland's
Second Speech,The Earl of *Holland's* Second Speech.*My Lord Mayor and Gentlemen,*

‘IT is but a Word or two that I shall say to you, for the shutting up of this Business. The Danger hath been represented to you, we must desire you likewise to consider how near it moves, so that you must resolve and act both together. We conceive this Army will be at *Oxford* as this Night, that is within such a Distance as, within three Days, they may march to *London*. It is very necessary for you to provide against this, as a Danger that may be very suddenly upon you, if they should chance to march before our Army; and with such an Advantage as to break up Bridges, or any such Thing as may hinder our Army to move presently and suddenly after them. Consider how open you are to this Danger, if you provide not presently for it: Therefore, as we have given you Reasons, and indeed as you may take almost from your own Reasons, to defend yourselves, it will be very necessary for you to look upon this as a Danger, that will not allow the Loss of an Hour in providing against it: And that is all I shall say unto you.’

The Earl of *Pembroke* concluded in these Words:*My Lord Mayor and you Gentlemen,*And the Earl of
Pembroke's con-
cluding Speech.

I Shall only speak one Word more to you, and that concerns yourselves most nearly. Tho’ I have lived in this City, many Years, yet you that are Citizens, must know it better than I.

‘You know you have a great and malignant Party in the City; you have now Time and Power to look to them, lose no Time so to do; for if you leave that till a Time of Distraction, they will be a great deal bolder than now they are: You must therefore do it forthwith.’

Notwithstanding these Military Exhortations to the Citizens of *London*, we find that, two Days after,

ter, a Motion was made in the House of Lords, To take into Consideration, how to prevent further Bloodshed between the two Armies, and to consider of some Means to beget a Peace betwixt them, which was agreed to: — But the further Proceedings, in consequence of this Motion, being the principal Employment of both Houses for several Weeks, will very properly begin our next Volume; as thereby the Reader will have a more compact View of this important Negotiation between the King and the Parliament.

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The Lords resolve to take some Means for Peace.

MS. 11/12/17

The END of the ELEVENTH VOLUME.



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